

91st Illinois General Assembly

Senate Transcript

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

PRESIDENT PHILIP:

The regular Session of the 91st General Assembly will please come to order. Will the Members please be at their desks, and will our guests in the galleries please rise? Our prayer today will be given by Monsignor Edward J. Duncan, Emeritus of Newman Foundation at the University of Illinois, Champaign-Urbana. Monsignor Duncan.

MONSIGNOR EDWARD J. DUNCAN:

(Prayer by Monsignor Edward J. Duncan)

PRESIDENT PHILIP:

Please remain standing for the Pledge of Allegiance. Senator Sieben.

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDENT PHILIP:

Reading of the Journals. Senator Myers.

SENATOR MYERS:

Mr. President, I move that reading and approval of the Journals of Wednesday, May 12th; Thursday, May 13th; Friday, May 14th; Monday, May 17th; Tuesday, May 18th; and Wednesday, May

19th, in the year 1999, be postponed, pending arrival of the printed Journals.

PRESIDENT PHILIP:

Senator Myers moves to postpone the reading and the approval of the Journal, pending the arrival of the printed transcript. There being no objection, so ordered. Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 595, with House Amendments 1 and 2.

1

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

We have like Messages on the following Senate Bills with House amendments: 602, Amendments 1 and 2; 605, Amendments 1 and 3; 607, Amendments 1 and 2; 610, Amendments 1 and 2; 611, Amendments 1 and 2; 612, Amendments 1 and 2; 617, Amendments 1 and 2; and 629, Amendment 1; and 630, Amendment 1.

All passed the House, as amended, May 19th, 1999.

PRESIDENT PHILIP:

Resolutions.

SECRETARY HARRY:

Senate Resolution -- Senate Resolution 147, offered by Senators Rauschenberger, Burzynski, Demuzio and Halvorson.

It's substantive.

PRESIDING OFFICER: (SENATOR DONAHUE)

...information of the Membership, we're going to go to the Order of -- Secretary's Desk, Non-concurrence. At the bottom -- middle of bottom of page 14. Senator Maitland, on the Order of Non-concurrence, Senate Bill 1066. Mr. Secretary.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their Amendment No. 1 to Senate Bill 1066.

The motion filed by Senator Maitland.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Senator Maitland moves to nonconcur in House Amendment No. 1 to Senate Bill 1066. All those in favor, say Aye. Opposed, Nay. The Ayes have it and the motion carries, and the Secretary shall so inform the House. Senator Lauzen, on Senate Bill 1148. Read the -- read -- Mr. Secretary.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their Amendment No. 1 to Senate Bill 1148.

The motion, by Senator Lauzen.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Senator Lauzen moves to nonconcur in House Amendment No. 1 to Senate Bill 1148. All those in favor, say Aye. Opposed, Nay. The Ayes have, motion carries, and the Secretary shall so inform the House. Senator Cronin, on Senate Bill 1207. Mr. Secretary. Mr. Secretary.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their Amendment No. 1 to Senate Bill 1207.

The motion, by Senator Cronin.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin moves to nonconcur in House Amendment No. 1 to Senate Bill 1207. All in favor, say Aye. Opposed, Nay. The Ayes have it and the amendment is -- or, and the motion carries. Secretary shall so inform the House. We'll now proceed to Supplemental Calendar No. 1. The Supplemental Calendar No. 1 has been distributed. So -- Senator Rauschenberger will be the one making the motions. Senator Rauschenberger, on the Order of Non-concurrence, is Senate Bill 595. Mr. Secretary.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 595.

The motion, by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Senator Rauschenberger moves to nonconcur in House Amendments 1 and 2 to Senate Bill 595. All in favor, say Aye. Opposed, Nay. The Ayes have it, motion carries, and the Secretary shall so inform the House. Senator Rauschenberger, on 602. Mr. Secretary.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 602.

3

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

The motion, by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Senator Rauschenberger moves to nonconcur in House Amendments 1 and 2 to Senate Bill 602. All in favor, say Aye. Opposed, Nay. The Ayes have it, motion carries, and the Secretary shall so inform the House. Senator Rauschenberger, on the Order of Non-concurrence, is Senate Bill 629. Mr. Secretary.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their Amendment No. 1 to Senate Bill 629.

The motion, by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there discussion? Seeing none, Senator Rauschenberger moves to nonconcur in House Amendment 1 to Senate Bill 629. All in favor, say Aye. Opposed, Nay. The Ayes have it and the motion carries, and the Secretary shall so inform the House. Senator Rauschenberger, on Senate Bill 630, on the Order of Non-concurrence. Mr. Secretary.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their Amendment No. 1 to Senate Bill 630.

The motion, by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

For Members of the Body, we've just nonconcurrred on four House bills. We had hoped that the House bills would get to us yesterday so that we could move ahead. We found some technical errors. We are now nonconcurring so that we can put these into conference and make corrections. The House staff, I think, was kind of overwhelmed with the idea of doing individual bills. So

when you talk to your House Members, tell them how excited we are about doing multiple bills this year. We -- we should be going to committee fairly soon, and we're going to try to move the process along. These are the smaller budgets of State government. We are fairly close to pulling the big agencies together. I appreciate everybody's patience and participation.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Welch.

SENATOR WELCH:

Senator Rauschenberger, what did you say about a smaller government, or reworking the budget to achieve a smaller government? Is that what you just said?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Good morning, Senator Welch. What I said was, these -- these bills will contain the smaller agencies of State government that we actually agreed to with the House on Friday and Saturday.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further -- Senator Welch.

SENATOR WELCH:

I thought it was a philosophical statement there, Senator. Are these -- are these amendments that we're not concurring to -- are they just things that the Senate is disagreeing with or are they technical, actual problems in drafting, or are they just

problems with the numbers?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

5

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

SENATOR RAUSCHENBERGER:

They are all technical mistakes, or, in some cases, as we worked until nearly 3:30 last night, they're changes that are necessary that were agreed to by the House before we could put the bills in final form. These -- to the best of my knowledge, the House will agree with everything we put into these conferences.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Is there further discussion? Seeing none, Senator Rauschenberger moves to nonconcur in House Amendment No. 1 to Senate Bill 630. All in favor, say Aye. Opposed, Nay. The Ayes have it, motion carries, and the Secretary shall so inform the House. Senator Peterson, for what purpose do you rise?

SENATOR PETERSON:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR PETERSON:

I heard Senator DeLeo talking about how great it would be to have Daley County, and I guess he's going to caucus with Senator Jones about dividing up the rest of Cook County into some smaller units of government. That -- that's very good. We're very thankful for your cooperation in this, Senator DeLeo. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

...could have the Membership's attention. Rules Committee is going to meet, so we will stand at ease for just a few minutes, please. Senator Jones, excuse me. For what purpose do you rise?

SENATOR E. JONES:

Yeah. Thank you, Madam President. I heard Senator Peterson mention Senator Jones. But are you referring to Senator Jones, Sr., or Jr.?

6

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DONAHUE)

Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Referred to the Committee on Appropriations - Senate Amendment 4 to House Bill 1532, Motions to Concur with House Amendments 1 and 3 to Senate Bill 605, Amendments 1 and 2 to Senate Bill 612, and Amendments 1 and 2 to Senate Bill 617; to the Committee on Education - Motions to Concur with House Amendments 1, 2 and 4 to Senate Bill 556, House Amendments 1, 2 and 3 to Senate Bill 652; to the Committee on Executive - the Motion to Concur with House Amendment 2 to Senate Bill 1010; and Senate Resolution 138; to the Committee on Judiciary - Senate Bill 1238; and Be Approved for Consideration - Motions to Concur with House Amendments 1 and 2 to Senate Bill 607, Senate Bill 610 and Senate Bill 611, and Senate Amendment 2 to Senate Joint Resolution 17.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger, for what purpose do you rise?

SENATOR RAUSCHENBERGER:

Thank you, Mr. {sic} President, Ladies and Gentlemen of the Senate. For purposes of an announcement.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please proceed.

SENATOR RAUSCHENBERGER:

I would like the Members of the Appropriation Committee to know that at 11 o'clock, as promptly as possible, we're going to meet to consider amendments to bills so that we can start the process of moving some of the budgets. Room 212, 11 o'clock,

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

Republicans and Democrats, Members of the Appropriation Committee.

PRESIDING OFFICER: (SENATOR DONAHUE)

Thank you. I also would like to inform the Membership that -- that we are awaiting Supplemental Calendar No. 2, so just hang tight. We'll be ready to proceed in just a few minutes. Senator Klemm, for what purpose do you rise?

SENATOR KLEMM:

For the purposes of an announcement.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please proceed.

SENATOR KLEMM:

The Senate Executive Committee will be meeting at 11:30, in Room 212. 11:30, 212, Senate Executive.

PRESIDING OFFICER: (SENATOR DONAHUE)

...could have the Education Committee's attention. Education Committee will meet at 11 o'clock in Room 400. Now, that's a room change for the Education Committee. 11 o'clock, Room 400. Senator Sullivan, for what purpose do you seek recognition?

SENATOR SULLIVAN:

Point of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please proceed.

SENATOR SULLIVAN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I would like to introduce two constituents of mine: Paula and Frank O'Connor are in the gallery here, and their -- their grandchildren, Alex and Monica, are Pages today.

PRESIDING OFFICER: (SENATOR DONAHUE)

Will you please rise and be recognized by the Illinois Senate? Welcome to Springfield. All right. If I could have the Membership's attention. We are going to Supplemental Calendar No. 2. Senator Rauschenberger, on Senate Bill 606 {sic} (607), on the

8

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

Order of Concurrence. Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 607.

Motion filed by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Good morning, Mr. {sic} President, Ladies and Gentlemen of the

Senate. Madam President and Ladies and Gentlemen of the Senate. Sorry, Senator Burzynski. The bill that's on concurrence before us, Senate Bill 607, is the Law Enforcement Training and Standards Board's. It passed the Senate earlier. We -- this is the -- exactly at the Governor's introduced level. The amount of the -- final amount of the bill is twelve million five hundred and eighty-one thousand five hundred dollars. The House is in agreement, and it's part of the agreed negotiations we're doing. This is our first final action on a budget. I'd appreciate a favorable roll call and will do my best to answer questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Welch.

SENATOR WELCH:

Yes. Could I ask a question of the sponsor?

PRESIDING OFFICER: (SENATOR DONAHUE)

He indicates he'll yield, Senator Welch.

SENATOR WELCH:

Senator, some of the Members over here were wondering exactly what this amendment does. It's an increase of a hundred thousand dollars. Is that what that says?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

The FY'99, current year budget, for the Law Enforcement Training Board, is eleven million seven hundred and fifty-five thousand five hundred dollars. As introduced, the Governor requested twelve million five hundred and eighty-one thousand five hundred dollars. As we passed it out of the Senate, it was twelve million five hundred and eighty-one thousand five dollars, and as we're concurring, it's twelve million five hundred and eighty-one thousand five hundred dollars.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Senator Rauschenberger, to close.

SENATOR RAUSCHENBERGER:

I'm just kind of disappointed we didn't have more lively debate on this bill, but let's concur it and send it to the Governor.

PRESIDING OFFICER: (SENATOR DONAHUE)

This is final action. And the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 607. Those in favor will vote Aye. Opposed, Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 607 and, having received the required constitutional majority, is declared passed. Senator Rauschenberger, on Senate Bill 610, on the Order of Concurrence. Mr. -- Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 610.

Motion filed by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

10

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

SENATOR RAUSCHENBERGER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 610, on the concurrence motion, is the budget for the Department of Professional Regulation. The FY'99 level, the current year we're in, was twenty-two million seven hundred and forty-nine thousand dollars. The amount that the Governor introduced was twenty-three million eight hundred and ninety-nine thousand eight hundred dollars. As it left the Senate, it was exactly the same. This final action, in the House concurrence, is at the Governor's introduced level of twenty-three million eight hundred and ninety-nine thousand eight hundred dollars. I'd appreciate favorable support and would be happy to answer questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, this is final action. And the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 610. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 610. And the bill, having received the required constitutional majority, is declared passed. Senator Rauschenberger, on Senate Bill 611. On the Order of Concurrence, is Senate Bill 611. Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 611.

Motion filed by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

11

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 611 is the budget for the Department of

Financial Institutions. It's composed entirely of other funds. The FY'99, the current year, appropriation is fifteen million ninety-seven thousand eight hundred dollars. The bill, as introduced by the Governor, is fifteen million six hundred and sixty-seven thousand five dollars, or an increase of about five hundred and seventy thousand dollars. The level as it left the Senate, was precisely the same. So the concurrence before us is fifteen million six hundred sixty-seven thousand five hundred dollars. I'd be happy to answer questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none - this is final action - and the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 611. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. The Senate -- on that record, there are 59 Ayes, no Nays, none voting Present. And the Senate does concur in House Amendments 1 and 2 to Senate Bill 611, and the bill, having received the required constitutional majority, is declared passed. Again, for the information of the Body, we are going to proceed to the Order -- Advise and Consent. We'll now proceed to the Executive Session for the purpose of advise and consent. Senator Petka.

SENATOR PETKA:

Thank you, Madam President. I move the Senate resolve itself into Executive Session for the purpose of acting on the Governor's appointments set forth in his Messages of May 7th and April 29th, as well as the Secretary of State's Messages of May 5th, 1999, and

April 20th, 1999. Mr...

PRESIDING OFFICER: (SENATOR DONAHUE)

12

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

You've heard the motion. All in favor, say Aye. Opposed, Nay. The Ayes have it, motion carries, and we are now in Executive Session. Mr. Secretary, Committee Reports.

SECRETARY HARRY:

Senator Petka, Chair of the Committee on Executive Appointments, to which was referred the Governor's Message of May 7th, 1999, reported the same back with a recommendation the Senate advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Petka.

SENATOR PETKA:

Madam President, with respect to the Message of May 7th, 1999, I will read the salaried appointment to which the Senate Committee on Executive Appointments recommends that the Senate advise and consent:

To be a member of the Illinois Civil Service Commission for a term ending March 1st, 2005, William Stratton of Chicago.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any...

SENATOR PETKA:

Madam President, having read the salaried appointments from the Governor's Message of May 7th, 1999, I now seek leave to consider this appointment on a roll call. Would you please put that question as required by our rules?

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? The question is, does the Senate advise and consent to the nomination just made. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. A majority of the Senators elected concurring by record vote, the Senate does

13

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

advise and consent to the nomination just made. Senator Petka.

SENATOR PETKA:

Thank you, Madam President. With respect to the May 7th, 1999, Message, I will read the nonsalaried appointments of which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent:

To be members of the Agricultural Export Advisory Committee for terms ending January 15, 2001, Bruce Leman of Roanoke, Heather Knoodle of Irving, Paul Van Halteren of Chicago, Stanley Heitz of Normal, Tom Bressner of Moweaqua, Cornelis Touw of Champaign, David Lucas of Naperville.

To be a member of the Bi-State Development Agency for a term ending January 20th, 2003, Lionel Settles of East St. Louis.

To be a member of the Board of Higher Education for a term ending January 31st, 2003, Lourdes Monteagudo of Chicago.

To be a member of the Board of Natural Resources and Conservation for a term ending January 15, 2001, Robert F. Inger of Chicago.

To be a member of the Central Midwest Interstate Low-Level Radioactive Waste Commission for a term ending January 15, 2001, Thomas Ortciger of Springfield.

To be a member of the Chicago State University Board of Trustees for a term ending January 17, 2005, Mary Denson of Chicago, Dr. Niva Lubin of Chicago.

To be a member of the Guardianship and Advocacy Commission for a term ending June 30th, 2001, Joe Lassner of Park Forest.

To be a member of the Guardianship and Advocacy Commission for a term ending June 30th, 1999, Todd Sieben of Geneseo.

And to be a member of the Guardianship and Advocacy Commission for a term ending June 30th, 2002, Todd Sieben of Geneseo.

To be a member of the Health Facilities Planning Board for a term ending June 30th, 2000, William Marovitz of Chicago.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

To be members of the Illinois Comprehensive Health Insurance Plan for a term ending July 1st, 2002, Howard Bolnick of Chicago, Janis Ortlowski of River Forest, Bryan Swank of Grayslake.

To be a member of the Illinois Comprehensive Health Insurance Plan for a term ending July 1st, 2001, Jay Naftzger of Naperville.

To be members of the Illinois Development Finance Authority for terms ending January 20th, 2003, Michael Zavis of Northbrook, Diane Cullinan of Peoria, Peter O'Brien of Chicago, Terrence O'Brien of Northfield.

To be a member of the Illinois Health Facilities Authority for a term ending June 30th, 2005, James Hamilton of Rockford.

To be a member of the Joliet Arsenal Development Authority for a term ending January 20th, 2003, William Weidling of Wilmington.

And to be a member of the State Police Merit Board for a term ending March 21st, 2005, John Rednour of DuQuoin.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion?

SENATOR PETKA:

Madam President, having read the nonsalaried appointments from the Governor's Message of May 7th, 1999, I now seek leave to consider the appointments of May 7th, 1999, on a roll call. And will you please put this question as required by our rules?

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Welch?

SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

He indicates he'll yield, Senator Welch.

SENATOR WELCH:

Is Todd Sieben the Todd Sieben who is here today? Is that the same one?

PRESIDING OFFICER: (SENATOR DONAHUE)

15

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

Senator Petka.

SENATOR PETKA:

Senator, that is an excellent question to ask. In my research of the subject, in conversations with the gentleman here known as Senator Todd Sieben, I found out that they are, indeed, one and the same person.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Welch.

SENATOR WELCH:

Well, then let me just be the first one to -- to congratulate Todd and say thank you for your service here in the Senate. We

enjoyed having you as a Member, and we wish you well on this commission.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? The question is, does the Senate advise and consent to the nominations just made? Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. A majority of Senators elected concurring by record vote, the Senate does and advise and consent to the nominations just made. Mr. Secretary.

SECRETARY HARRY:

Senator Petka, Chair of the Committee on Executive Appointments, to which was referred the Governor's Message of April 29th, 1999, reported the same back with the recommendation the Senate advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Petka.

SENATOR PETKA:

Thank you, Madam President. With respect to the Message of April 29th, 1999, I will read the salaried appointments of which

the Senate Committee on Executive Appointments recommends that the Senate advise and consent:

To be a member of the Illinois Racing Board for a term ending July 1st, 2004, Joseph Kindlon of Wheaton.

To be a member of the State Board of Elections for a term ending June 30th, 2003, Phil O'Conner of Chicago.

Madam President, having read the salaried appointments from the Governor's Message of April 29th, 1999, I now seek leave to consider these appointments of April 29th, 1999, on a roll call. And would you please put that question as required by our rules?

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? The question is, does the Senate advise and consent to the nominations just made. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all -- take the record. On that question, there area 59 Ayes, no Nays, none voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nominations just made. Mr. Secretary.

SECRETARY HARRY:

Senator Petka, Chair of the Committee on Executive Appointments, to which was referred the Secretary of State's Message of May 5, 1999, reported the same back with the recommendation the Senate advise and consent to the following appointments.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Petka.

SENATOR PETKA:

Thank you, Madam President. With respect to the Secretary of State's Message of May 5th, 1999, I will read the salaried appointment of which the Senate Committee on Executive Appointments recommends that the Senate do advise and consent:

17

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

To be a Commissioner of the Merit Commission for an -- Office of the Secretary of State for a term ending June 30th, 2003, Mike Masterson of Springfield.

Madam President, having read the salaried appointment from the Secretary of State's Message of May 5th, 1999, I now seek leave to consider this appointment of May 5th, 1999, on a roll call. And would you please put the question as required by our rules?

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Discussion? The question is, does the Senate advise and consent to the nomination just made. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. A majority of Senators elected concurring by record vote -- on that question, there are 59 Ayes, no Nays, none voting Present. And a majority of Senators elected

concurring by record vote, the Senate does advise and consent to the nomination just made. Mr. Secretary.

SECRETARY HARRY:

Senator Petka, Chair of the Committee on Executive Appointments, to which was referred the Secretary of State's Message of April 20th, 1999, reported the same back with a recommendation the Senate advise and consent to the following appointment.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Petka.

SENATOR PETKA:

Madam President, thank -- with -- with respect to the Secretary of State's Message of April 20th, 1999, I will read the salaried appointment of which the Senate Committee on Executive Appointments recommends the Senate do advise and consent.

To be Commissioner of the Merit Commission for the Office of the Secretary of State for a term ending July 1st, 2005, George

18

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

Dunne of Chicago.

Having read the salaried appointments from the Secretary of State's Message of April 20th, 1999, I now seek leave to consider

this appointment on -- of April 20th, 1999, on a roll call. And will you please put this question as required by our rules?

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? The question is, does the Senate advise and consent to the nomination just made. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. A majority of Senators elected concurring by record vote, the Senate does advise and consent to the nomination just made. Mr. Secretary. Senator Petka.

SENATOR PETKA:

Thank you, Madam President. I move the Senate arise from Executive Session.

PRESIDING OFFICER: (SENATOR DONAHUE)

You've all heard the motion. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion carries. Senator Thomas Walsh, for what purpose do you seek recognition?

SENATOR T. WALSH:

Thank you, Madam President. On behalf of Senator Munoz and myself, I'd like to welcome a group of high school students that are in the balcony behind the -- the -- the Republican side. They're here from Morton East High School in Cicero. Welcome to Springfield.

PRESIDING OFFICER: (SENATOR DONAHUE)

Will you please rise and be recognized by the Illinois Senate? Welcome. Senator Sieben, for what purpose do you seek recognition?

SENATOR SIEBEN:

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

For an announcement.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please proceed.

SENATOR SIEBEN:

Madam President, the Senate Ag Committee will meet at 11 a.m.,
in Room A-1. Senate Ag Committee, 11 a.m., Room A-1.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senate Ag Committee at 1 o'clock -- or, I mean 11 o'clock, in
Room A-1. Sorry. Senator Robert Madigan, for what purpose do you
rise?

SENATOR R. MADIGAN:

Thank you, Madam President. Purpose of an announcement.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please proceed.

SENATOR R. MADIGAN:

That the Insurance and Pensions Committee, Senate Insurance
and Pensions Committee, will meet at noon in Room 212 to take up
concurrence motions on Senate -- or, House Amendment No. 1 to
Senate Bill 778 and House Amendment No. 2 to Senate Bill 1024.
Room 212 at noon. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Insurance Committee, 212 at noon. If I could have the Membership's attention again, we're going to go to the bottom of page 11 to the Order of Secretary's Desk, Resolutions. Senator Berman, Senator O'Malley, Senator Trotter. You're the ones on the list. Senator Berman, do you wish your resolution considered? Read the resolution, Madam Secretary.

ACTING SECRETARY HAWKER:

Senate Resolution No. 71.

The Senate Committee on Public Health and Welfare adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR DONAHUE)

20

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

Senator Berman.

SENATOR BERMAN:

Thank you, Madam -- thank you, Madam President. Senate Resolution 71 calls upon the Illinois Congressional Delegation to support the restoration of federal fiscal year '98 federal funding levels for the Social Service Block Grant/Title XX Program. It amounts to over sixteen million dollars to the State of Illinois. I move its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senator Welch, for what purpose do you seek recognition?

SENATOR WELCH:

Thank you, Madam President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please proceed.

SENATOR WELCH:

Madam President, over on the far side of the Senate, on the Republican side in the gallery, we have the eighth grade student class from Streator Northlawn High School. I'd like to give them a welcome to the Senate...

PRESIDING OFFICER: (SENATOR DONAHUE)

Will you please rise and be recognized by the Illinois Senate? Welcome to Springfield. Senator O'Malley, on Senate Resolution 91. Senator O'Malley on the Floor? Senator Trotter, on Senate Resolution 108. Senate Resolution 108. Senator Trotter? Senator Berman, on Senate Resolution 114. Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

Senate Resolution 114, offered by Senators Berman and Silverstein.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

There are no Floor or committee amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Berman.

SENATOR BERMAN:

Thank you, Madam President. Senate Resolution 114 calls on the United Nations to allow the State of Israel to join the U.N. West European and Others Groups, call the WEOG, in order to be part of other bodies in the United Nations. I know of no opposition. I ask your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted -- the resolution is adopted. Senate Jones, Wendell Jones, for what purpose do you rise?

SENATOR W. JONES:

I'm sorry. I thought my resolution was next.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz, on Senate Resolution 1115 {sic}. Senate Resolution 115. Madam Secretary, read the resolution.

ACTING SECRETARY HAWKER:

Senate Resolution 115, offered by Senator Dudycz.
There are no committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz. Can I have the Body's attention, please?

Senator Dudycz.

SENATOR DUDYCZ:

Thank you, Madam President. Senate Resolution No. 115 urges Illinois universities to comply with Freedom of Information requests of the Center for Equal Opportunity with regards to admission records. The Center for Equal Opportunity is a think tank based in Washington, D.C., and is currently investigating impact of affirmative action policies on college admission

22

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

requirements nationwide. And recently, the Center for Equal Opportunity requested admissions, public records from nine Illinois universities under the Freedom of Information. The universities are U of I - Champaign, U of I - Chicago, Chicago State, Eastern Illinois, Northeastern, Western, Northern, SIU at Edwardsville and SIU at Carbondale. All campuses denied the requests on the grounds that the request was unduly burdensome, and Senate Resolution 115 simply urges those -- those public universities to promptly comply with the FOI request submitted by the Center for Equal Opportunity with regards to public admissions records.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Molaro.

SENATOR MOLARO:

Thank you, Madam Chairman and -- Madam President, I should say, of the Senate. Would Senator yield for a question?

PRESIDING OFFICER: (SENATOR DONAHUE)

He indicates he'll yield, Senator Molaro.

SENATOR MOLARO:

Do -- do we intend now that whenever someone is denied a request under the Freedom of Information Act and they come to some State Senator, that we're going to bring a resolution resolving that the people who denied the FOIA request now submit what they're requested?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCZ:

I'm sorry, Senator. I -- I don't quite understand your question.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Molaro.

SENATOR MOLARO:

23

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

Let me -- let me explain what happened here, because you explained it well, but let me tell you exactly what went down. There's this research group called Center of {sic} Equal Opportunity. They want some information, so they go to the nine or ten universities in State of Illinois and under the Freedom of Information -- Act, they request certain documents. Now, if you've ever seen the FOIA, the Act itself, there are about ten or twelve things, exceptions, maybe sixteen, of which you can respond to. So they told these people that for us to put all this together, to go back as far as you want us to go would be unduly burdensome. It would cost us a lot of money. It would do this. It's just unduly burdensome, and we feel that we don't have to do it, according to the statute. Now, that answer is given maybe a hundred times a day by all kinds of public bodies, to reporters, to research groups, all the time. Now, if that research group feels that it's not unduly burdensome, then what they do is they go to circuit court, and then the universities would have to explain. That's done hundreds of times a month, on requests. What I do not understand, and this is what I'm asking, Senator, is why, in this particular time, are we resolving that the universities turn it over? They have denied FOIA requests, hundreds in the past, from good research groups looking for good information. And those research groups had to go to court. Why are we, the Illinois Senate, involving ourselves with this research group? That's the question.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCZ:

You're right, Senator, that they could go to the circuit court

and they may, in fact, have gone, seeking legal recourse in -- in this -- in this matter. I'm not sure whether they did or didn't. What -- what the Center for Equal Opportunity did is they went for

24

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

-- in Illinois, they went to DePaul University and requested through one of the faculty there -- one of the -- one of the faculty from DePaul University to request this Freedom of Information -- these public documents through the FOI requests, and the response, which is quite unusual, they got -- from every one of the universities, the -- the response that they got was, quote, unquote, "unduly burdensome." Now, had the universities said, "Well, we'd like more time or that we are going to deny your request based upon private records or there are certain confidential information that we do wish not to disclose," I could accept that. But when there is a FOI request for public records of the university and all universities are just sending out a standard reply, that is -- that is what prompted them to come to us and to ask us to -- just to -- just to urge the universities to comply with public records.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Molaro.

SENATOR MOLARO:

I'll just end this. I don't want to belabor it, but -- but I -- but I do want to understand -- or, at least the Body to, that if we're going to get into every time someone does an FOIA request and that particular group doesn't like the particular answer, I think we should let it go to court, let a court decide and then when there's a decision by a court that we have in our hand that we felt the court didn't go and there's a -- a wrong to be righted, then we take action. But to actually take action because -- no one knows if they went to court or not and we're going to meddle in the affairs and tell the universities what they should respond to, what they shouldn't respond to, they should go against the advice of their lawyers and we, in the State Senate, should make resolutions to do so, I think is a mistake.

PRESIDING OFFICER: (SENATOR DONAHUE)

25

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

Further discussion? Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. Senator Molaro, I think, gave the technical reasons why we shouldn't support this resolution, but I want to talk about the intent, the intent of the resolution. And

with all due respect to the sponsor, I am not saying that it's the intent of the sponsor, but I think it's the intent of the Center for Equal Opportunity. And for those of you who are not aware of what this Center does, this is a conservative think tank center based in Washington, D.C., headed up by Linda Chavez, and what they want to do is dismantle programs throughout the entire country. And they have gone to our public universities and have made a request for information that is a very complicated kind of request, a burdensome request, one that I think the universities were right in rejecting, even though I'm all for disclosure and dissemination of information and I certainly would want Freedom of Information requests to be responded to, and the law to be complied with, but let's look at the intent. The intent is to come back with whatever information they are able to acquire and work in Illinois to dismantle and to destroy every single program, every single activity that has been put into place, in some cases with the assistance of this public Body to recruit and retain minority students throughout the State. Our universities have made a great effort, have made a special effort to recruit and retain minority students, disabled students, increase the enrollment of women in many of our colleges throughout the State. There's a lot more work that needs to be done. The numbers are still low. And here we are responding or trying to respond to the request of a group in Washington, D.C. that wants to come into the State of Illinois and wage a campaign to dismantle these programs. If you're going to vote in favor of this resolution, you're voting in favor and in support of the Center - the Center. That's what this

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

resolution puts you on record as doing, voting in support of the efforts of this Center to dismantle and to destroy these programs in our universities. So I would urge a roll call, and I would urge, also, a No vote on this resolution.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

He indicates he'll yield, Senator Hendon.

SENATOR HENDON:

Senator Dudycz, do you believe that the diversity in this Chamber is a strength or a weakness, here in the Senate?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCZ:

Senator Hendon, I believe diversity is a strength no matter where you go.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hendon.

SENATOR HENDON:

I -- I thought you did, knowing you personally. That is why I'm troubled by this resolution here. I believe that Illinois is stronger by having blacks, Hispanics, women, men, from all regions and areas of the State, and if it wasn't for drawing maps a certain way at certain times, we wouldn't have that. The universities have programs because they agree with you that diversity is the strength of America. As I read your legislation, the purpose of this is to stop that diversity. Is that not correct?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

27

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

SENATOR DUDYCZ:

That is absolutely incorrect, Senator Hendon.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hendon.

SENATOR HENDON:

Well, I want to just read, for the edification of the other Members here, a part of your resolution, and it says, Whereas, the Center of {sic} Equal Opportunity... - and I thought that was an affirmative action group myself, but I found out different -

Whereas, the Center for Equal Opportunity has requested public records on the college universities, and right above that where it says, "Whereas, the Center for Equal Opportunity is a nationally renowned research group, currently investigating the impact of affirmative action policies on college admissions requirements..." What does that mean, if it does not mean what I stated earlier, so that they can reverse the diversity among our universities?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCZ:

Senator Hendon, it is my belief that the Center of Equal Opportunity is a nationally known think tank, and they are currently investigating affirmative action programs in the universities. And I believe that we all support diversity, and I believe that we all want equal opportunity for everyone, but equal opportunity does not mean that it should be for a protected class. It should be for everyone, Senator Hendon. And all that this -- all that this resolution is saying is that we would like our public universities to give public records to the public so they can see that -- whether these programs are being applied fairly and equally for all.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hendon.

SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

SENATOR HENDON:

Madam President, I -- I promise not to be lengthy, but I -- I do want to point out to the Body that I haven't said too much this Session, and I'm sure that pleased many of you. However, it is very unfortunate that -- that my good friend and esteemed colleague, who has had the opportunity to protect my personal life and -- and -- and sit in my living room and -- and be my friend outside of this Chamber, would once again be carrying legislation that is counterproductive to the growth of Illinois, counter to what our new Governor, Governor Ryan, has clearly indicated, which is love for everyone, regardless of party, regardless of race, creed or color. It is unfortunate that once again, for whatever reason, you're allowing yourself to be used by a group whose intent is to stunt diversity in Illinois, is to stop women, African-Americans, Latinos and others from realizing the great American dream. It makes no sense, Senator Dudycz, for someone of your caliber, the level of respect that -- that you have in the Chamber to always, every year, always come up with something to stunt the growth of what you want to call a protected class. Let me tell you, my friend, and I know you know this because you serve my community: The -- the underprivileged are not a protected class; they are the underprivileged. It is very simple. It is plain as the nose on your face. They are not a protected class. The underprivileged needs opportunity. And every time, it blows my mind. When these children come here, we let them rise and be -- be recognized by the Senate, every time we -- we have a -- a

preacher or a pastor or a -- a some religious person pray over this Chamber that we would be wise in what we do, that we would let the Lord and Almighty God lead us so that we can lead this State, and then comes a resolution or a bill, such as this, which divides friendships, which cuts personally, which -- which hurts diversity and hurts harmony within this Chamber, Senator Dudycz. I

29

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

urge you to withdraw this resolution, and if not, yes, we want a roll call vote, and I urge all of you: Don't bring racism and racist legislation to the Floor of the Senate, because it is -- it is not going to be nice, it is not going to be pleasant, and it teaches our children to hate each other.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Madam President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

He indicates he'll yield, Senator Clayborne.

SENATOR CLAYBORNE:

Thank you, Madam President and Members of the Senate. I guess in -- in reviewing this -- this resolution, what is the -- what

will this information be used for, Senator Dudycz?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCZ:

Senator, it will be used for a research study to examine and to analyze the affirmative action policies of our public universities.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Clayborne.

SENATOR CLAYBORNE:

And then it will be eventually -- at some point, that same information will be disseminated on campus to be put in the -- I guess, the -- the local campus newspaper?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCZ:

I have no idea whether it's going to go in the campus newspaper or whether they're going to have their own publication.

I would hope that they come out with some sort of report informing the general public and specifically for -- for the interest of the

General Assembly. We don't know what results this study is going to come up with. We don't know whether they're going to say that -- that there is racism in our -- in our college hiring practices or -- or affirmative action programs are -- are a complete success or a complete failure. We don't know what they're going to do. All this resolution, Senator, says is that -- that the -- our universities should allow this group access to public records - public records.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Clayborne.

SENATOR CLAYBORNE:

Thank you...

PRESIDING OFFICER: (SENATOR DONAHUE)

All you have to do is put your light on.

SENATOR CLAYBORNE:

Thank you, Madam President. But at the same time, I guess, Senator Dudycz, my question is: If I'm at the University of Illinois and I want to know what my neighbor's information is on his admissions, can I get that information?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCZ:

Well, Senator, I believe that you can file a FOI request, as any other citizen in our State, and request and hopefully we can get some response to your request from the Freedom of Information officer, just like in the General Assembly. We have a Freedom of Information officer. We get FOI requests all the time. We submit it to the officer, and responses are forthcoming. That's all we

ask, is that -- I mean, what's this -- you know, I'm a little puzzled by some of the outcries of some of the opponents to this.

31

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

You know, one of them came up with the word "racism." I don't know where that came from. You know, I know who it came from; I don't know where it came from.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator -- Senator Clayborne.

SENATOR CLAYBORNE:

Thank you. And I -- I took -- I know you strayed away from my answer a -- my question. But I assume the answer to my question was yes, that I could file a Freedom of Information request with the university and get anybody's information on the floor or in the dorm, in any apartment, in any class that I want, to find out what their personal records are. So I -- I -- and -- and once I do that, then I can publish that in the school newspaper.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCZ:

No, Senator, that's not what I said. What I said is you have a right to request these -- these -- this information, if it is

public - if it is private information, you have -- they have a legal obligation to keep that from you and myself. But if you are requesting public records, then it is up to the public university to respond to you, Senator. If they believe that you are requesting something which is improper, they should tell you that. If they believe that you are requesting something that will take time, they should tell you that. If they -- if they should have something more than just "unduly burdensome," as far as a request and when you have nine universities all using this particular phrase as "unduly burdensome" and leave it at that, what are they hiding?

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Clayborne.

SENATOR CLAYBORNE:

32

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

Again, I -- I -- you know, Senator Dudycz, I'm a lawyer and I'm used to being more direct and getting a better answer, but I understand this is not the courtroom, so I won't -- I won't pin you down. But I guess if -- if -- if I'm an organization on the University of Illinois' campus called Students of Equal Opportunity, and I have this newspaper, and I want to target a

group of individuals and find out what their -- their admissions records are - just a certain select group - then I believe, under this, I have the opportunity to do that and then I have the opportunity not only to have that information, but to publish it. And then what -- what happens? What happens is, these individuals begin to be ridiculed if there is something there. You know, unfortunately, Senator Dudycz, I -- I guess when I -- when I look at this and when I talk about or think about affirmative action, I think about two words, Senator Dudycz: desire and motivation. And when you have -- when there are a lot of things that you have not had and you have the desire to improve your personal situation - obviously motivation comes along with that. A test cannot determine how well a person or how long a person will stay up at night, how long a person will -- will work and -- and -- and study to improve themselves, to make a better situation for themselves. So I guess what I'm saying is, you can't use an objective test to make that determination. You talk about public records. You're a public official. I don't know if you -- you -- I know you're a policeman, so you're on the public payroll. I'm sure you're not willing to disclose your financial records, but you're a public employee - Senate, as well as a police officer. But I'm sure you don't want to disclose that. The other thing, Senator Dudycz -- and I'm sure you voted for welfare reform and all of this. You know, we say all these feel-good things and -- and -- and we say that we want to improve and give people an opportunity to better themselves, yet we stand up with measures like this to -- to try

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

to embarrass - not promote, but to try to embarrass - people who are trying to make it better for themselves, who are trying to make it better for their communities and make it better for their families. But, yet, I guess, as one of my colleagues says, we take a -- a -- think tank out of Washington and we bring 'em here to Springfield to try to make sure that these hidden agendas are pushed forward, instead of you coming here and saying, "How can we go into the minority communities and give them greater opportunities for college," "How can we go into the minority communities and provide hope through making sure that the school systems are providing the education and the resources that are needed," "How can we go into these communities and try to improve the aesthetics and the way people live?" Yet, we come in and we try to break these -- these barriers down and not to continue to -- to promote what I originally said - and I'm going to stop - to try to promote young -- young men and young women to keep that desire or to create the desire and to keep the motivation that they need to make this a place for all of us. And I'll stop -- I'll stop by saying: You know, my grandfather, Senator Dudycz, came up from Mississippi and -- and he didn't have -- he wasn't able to go to college because they wouldn't let him go to college. So I believe, Senator Dudycz, that that was a -- a special program back then, because he was denied and there was only a select few

that could go to college. Well now that we're -- we've gone beyond that and it's a new time, then we should be creating opportunity, Senator Dudycz, and not trying to embarrass people who are trying to make it better for themselves. I, too, urge a roll call and ask that anyone who's serious, serious about improving the quality of life for everyone, to vote No on this measure. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Weaver.

SENATOR WEAVER:

34

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

Thank you -- question of the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

He indicates he'll yield, Senator Weaver.

SENATOR WEAVER:

Senator Dudycz, is the refusal to comply with this request based on the inability of these institutions to provide the information asked for or is it the cost? I think we're getting way off the subject here on this resolution. I -- I'm just a little bit concerned about, are they able to garner this information to give to this think tank?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCZ:

Senator Weaver, that's just the point. We don't know. The only response that they're giving them is that it's unduly burdensome. If they said we can't afford it, or it's too much money, or it's taking too much time, or we can't have it or it's going to -- if they have some sort of response to the -- to the request that we can accept, I, for one, would accept it. But the information that is given to me is that the -- their response is that it's unduly burdensome. Leave it at that. We will not respond any further. Well, I can't accept that. I believe, as public records, they should have access to those public records.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Weaver.

SENATOR WEAVER:

What I'm wondering though is, don't these folks in the think tank have to pay for the time and effort to compile this information for them? Isn't that part of the Freedom of Information Act?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dudycz.

SENATOR DUDYCZ:

That is my belief, that they are -- they -- they could be subject to -- to reimbursing the universities for the -- the -- for the reasonable costs of duplicating and -- and disseminating this information to them. So it would be at no cost, is my understanding, or a -- reimbursable for the cost to these universities.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Weaver.

SENATOR WEAVER:

Well I think there would be costs involved because many of the universities have various affirmative action programs in each college within the university and they differ greatly. There's great incentives in the graduate program. It just seems to me that this could be done, but it would take time and it would take a good bit of effort, but I think we're kind of getting away from the essence of -- in our conversation here today, of really what the intent of this resolution is. I think that with proper funding, whomever has to pay for it, the ability to retrieve this information is out there.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Obama.

SENATOR OBAMA:

Thank you, Madam President. Just a couple of brief points that I think some of my colleagues on this side of the aisle have already made but I -- I want to reiterate. The background of this issue is that there is an organization in Washington, D.C. that is

systematically attempting to dismantle affirmative action in public universities all across the country. That is their stated intent, and that's what they have been actually quite successful in doing. Now, part of their legal strategy is to obtain these records of admissions criteria so that it will serve as the basis

36

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

for their lawsuits, their litigation. Now, I don't think it's any secret, and so I'm willing to state here, publicly, to the Chamber, that if you look at the statistics, we can anticipate what's going to be in the statistics, which is why they're looking for 'em. They want the statistics because we know, by definition, that affirmative action means that the minority students may have lower test scores than the white students who were admitted to these universities. That's the essence of affirmative action. And, philosophically, the reason that these universities have instituted these programs and, historically, affirmative action has been in place is because we, as a society, have made an estimation that minority students historically have been denied the kinds of educational opportunities that allowed them to compete on these standardized tests because they're going to Chicago public schools that haven't been performing up to snuff,

because a disproportionate number of these students may be first generation college attendees and so aren't the sons of doctors and lawyers or legacies who are experienced in the educational systems that they have to participate, because they're generally low-income, because many of them have to take after-school jobs to fund their education. For a whole host of reasons, including the history of this country, we know that minority students, at this juncture in our history, have lower test scores. All right? Now, I just want to be clear, Senator Dudycz, that that is the reason that this organization is trying to get these records, so that they can use it in a lawsuit at a time where the climate and support for affirmative action is relatively low and where the majority groups in our society don't feel the obligation to extend themselves towards these less-advantaged groups. And I understand that. But -- but I guess I would urge all those in the Chamber today, before we vote on this resolution, to think about what our real commitment as a State and as a society should be towards

37

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

these groups that, historically, have been disadvantaged. And I want to emphasize the point that Senator Clayborne made. What has happened, for example, in the University of Michigan, is when

these records came out, the first thing was -- that was done was, it was published in the school newspaper, and, immediately, essentially every minority student on that campus was under suspicion as being incompetent, unqualified, shouldn't be there, to their great embarrassment. It didn't matter how hard they were working. It didn't matter whether they were now getting As and -- and had shown themselves qualified to be in these institutions. They were under a cloud that they could not erase. And that was part of the political strategy to build momentum to dismantle affirmative action at the University of Michigan. Now, that is not the kind of society that, I guess, I want to cultivate. And I think that reasonable minds can differ on the issue of affirmative action, but my suggestion would be that if, in fact, we want to have a full-scale debate about affirmative action and whether it's appropriate in State universities, then I think the honorable thing to do would be for us to debate that issue here in this Chamber. And if we, as legislators, want this information to inform that debate, let's do it here in this Chamber. But I do not think it is appropriate for a Washington, D.C. think tank, a mercenary organization that is -- we know what side of the issue they're on, to provide ammunition for them to try to fuel a debate that, in fact, we do not have the guts to engage in right here in this Chamber. I would urge all of those of you who want to have an honest debate about this issue, I will be happy to participate in it. And I don't accuse those who object to affirmative action of being racist, per se. I think it is a difficult, complicated issue because we have a difficult and complicated history when it -- we're talking about race relations in this country. But I would suggest that -- don't use this as a fig leaf to try to

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

dismantle affirmative action and don't let somebody else from Washington do our dirty work for us. If we truly want to dismantle affirmative action in public universities in this State, let's have the guts to do it in this Chamber. I would urge a No vote on this resolution.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Dudycz.

SENATOR DUDYCZ:

Madam President, a lot of debate this morning on this. You know, I'm getting a little sick and tired of -- of people talking about how their father was -- came from another state and they were discriminated against. Well, Senator Clayborne, a lot of our fathers were discriminated and race had nothing to do with it. And they didn't come from Mississippi, but they came from Poland or Germany or Eastern Europe -- Europe or other places. And, Senator Hendon, you know, I really resent your implication that this is racist. This was not the intent of -- of my resolution. You know, I'm just as proud of you being my mother's and father's Senator as you are proud to represent them. Now, you know, I'm not trying to create dissension in this Body. This -- this -- this resolution

is very clear of what I'm trying to do. It's to show -- it's to -- it's to urge the -- our universities to comply with requests for public records. But, Madam President, if this is going to be bringing such -- such dissension in our Body, this is not the time, and I'm going to ask that this be pulled out of the record.

PRESIDING OFFICER: (SENATOR DONAHUE)

Out of the record. Senator Wendell Jones, and Senate Resolution 117. Do you wish to have this resolution considered? Madam -- Mr. Secretary, read the resolution.

SECRETARY HARRY:

Senate Resolution 117, offered by Senator Wendell Jones.
No committee or Floor amendments, Madam President.

39

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Wendell Jones.

SENATOR W. JONES:

Thank you, Madam President and Members of the Senate. This simply creates a task force to investigate the effect of dividing Cook County into separate and distinct, freestanding, independent and new counties. And I would appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question -- those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Ladies and Gentlemen, we've had a malfunction on the board, so let's put the resolution back up. We will repeat the vote. Senate Resolution 117, with Wendell Jones. All those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 Ayes, 28 Nays, 1 voting Present. And the resolution is adopted. Senator Jones, for what -- Senator Emil Jones, for what purpose do you seek recognition?

SENATOR E. JONES:

Thank you, Madam President. I request a verification.

PRESIDING OFFICER: (SENATOR DONAHUE)

That request is in order. Senator Emil Jones has requested a verification. Will all our Senators please be in your seats? And the Secretary will read the affirmative votes.

SECRETARY HARRY:

The following voted in the affirmative: Bomke, Burzynski, Dillard, Donahue, Dudycz, Fawell, Geo-Karis, Wendell Jones, Karpiel, Klemm, Lauzen, Luechtefeld, Robert Madigan, Mahar, Maitland, Myers, Noland, O'Malley, Parker, Peterson, Petka, Radogno, Rauschenberger, Sieben, Sullivan, Syverson, Tom Walsh,

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

Watson, Weaver, and Mr. President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jones, do you question the presence of any Member?

SENATOR E. JONES:

Senator Parker.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker? Senator Parker, are you on the Floor?

Senator Parker? Remove her name.

SENATOR E. JONES:

Senator Klemm.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm. He's in his chair, Senator Jones. Question the presence of any other Member, Senator Jones? On a verified roll call, the -- there are 29 Ayes, 28 Nays, and 1 voting Present. And the resolution fails. Senator Wendell Jones.

SENATOR W. JONES:

Like to put this on Postponed Consideration, please.

PRESIDING OFFICER: (SENATOR DONAHUE)

Postponed Consideration. Ladies and Gentlemen, if I could have our attention, please. We're going to now proceed to our committees. You have heard the announcements. And Approp, I know, is at 11. I won't even get into that. Outside, they're posted. So we'll proceed to that, and we'll return at the call of the Chair. Senator Fawell, for what purpose do you rise?

SENATOR FAWELL:

I -- I had a resolution on this order of business.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator, we will be back to this order of business, but we've had our call for -- or, committees at certain times. That's what we're doing. Senator Dudycz, for what purpose do you rise?

SENATOR DUDYCZ:

Point of personal privilege, Madam President.

41

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR DUDYCZ:

Just like to introduce a former Member of this Body, standing in the rear of the Chamber, Bob Raica has joined us, and just welcome Bob -- Senator -- former Senator Bob Raica to the Chambers.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Raica, welcome to Springfield. Senate will stand in recess till the call of the Chair. Senator -- Senator Rauschenberger, for what purpose do you rise?

SENATOR RAUSCHENBERGER:

For purposes of an announcement.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please proceed.

SENATOR RAUSCHENBERGER:

I'd like to remind the Members of the Appropriation Committee that if they would please go directly to Room 212. We have some amendments to -- to hear so that we can continue our progress on the budget.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DONAHUE)

...will reconvene. If you're within the hearing of my voice, appreciate you coming to the Floor. We're about ready to begin. Committee Reports.

SECRETARY HARRY:

Senator Sieben, Chair of the Committee on Agriculture and Conservation, reports Senate Bill 1068 - the Motion to Concur with House Amendment No. 1 Be Adopted.

42

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

Senator Cronin, Chair of the Committee on Education, reports Senate Bill 556 - the Motion to Concur with House Amendments 1, 2 and 4 Be Adopted.

Senator Rauschenberger, Chair of the Committee on Appropriations - reports Senate Bill 505 {sic} (605), the Motion to Concur with House Amendments 1 and 3 Be Adopted, Senate Bill 612 - Motion to Concur with House Amendments 1 and 2 Be Adopted, Senate Bill 617 - the Motion to Concur with House Amendments 1 and 2 Be Adopted, and Senate Amendment 4 to House Bill 1532 Be Adopted.

Senator Klemm, Chair of the Committee on Executive, reports Senate Bill 1010 - the Motion to Concur with House Amendment No. 2 Be Adopted.

And Senator Robert Madigan, Chair of the Committee on Insurance and Pensions, reports Senate Bill 778 - the Motion to Concur with House Amendment 1 Be Adopted, and Senate Bill 1024 - the Motion to Concur with House Amendment 2 Be Adopted.

PRESIDING OFFICER: (SENATOR DONAHUE)

Resolutions.

SECRETARY HARRY:

Senate Resolutions 148, 149 and 150, all offered by Senator Clayborne and all Members.

They're all death resolutions, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Consent Calendar.

SECRETARY HARRY:

Senate Resolution 150 {sic} (151), offered by Senator Klemm. It's substantive. Beg your pardon. That was Senate Resolution 151.

PRESIDING OFFICER: (SENATOR DONAHUE)

Messages from the House.

SECRETARY HARRY:

43

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

A Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to recede from their Amendment No. 1 to a bill of the following title, to wit:

Senate Bill 1018.

I am further directed to inform the Senate that the House of Representatives requests a First Committee of Conference.

We have a like Message on Senate Bill 1028 and Senate Bill 1203.

Action taken by the House, May 19th, 1999.

PRESIDING OFFICER: (SENATOR DONAHUE)

Without objection, the Senate accedes to the request of the House for conference committees on those bills just read by the Secretary. Leave is granted. Again, I would ask all Members to please come to the Floor. The Senate will reconvene. ...information of the Body, we will be returning to page 18 on the -- page 12 on the Calendar, on Senate Resolutions. We will be

beginning with Senator O'Malley, Senator Parker, Senator Dillard and Senator Syverson. Again, I would ask all Members to come to the Floor. On page 12 of the Calendar is the Order of Secretary's Desk, Resolutions. Senator O'Malley, do you wish your resolution considered? Mr. Secretary.

SECRETARY HARRY:

Senate Resolution 121, offered by Senator O'Malley.

There are no committee or Floor amendments, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President and Ladies and Gentlemen of the Senate. Senate Resolution 121 directs the Commissioner of Banks and Real Estate to monitor the implementation and response to the Banking on Illinois Act by banks both within and outside the State

44

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

of Illinois. It requires the Commissioner to make annual reports to the General Assembly through the year 2006. Be happy to answer any questions there may be.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, I rise in strong support of this resolution. First of all, it's absolutely essential that we do something to cover ourselves with respect to the bill, of House Bill 2204, that we let get out of the Senate, and if it gets to the Governor's desk, there is little or no oversight with respect to the Illinois Banks. I don't want to belabor the point because I talked about it yesterday in committee, but this resolution is one that we should take very seriously and we ought to monitor, on a -- on a customary, usual basis, I guess you could say, on a monthly basis, perhaps, because of the gravity and the seriousness of -- of what we are going with the banking industry. And so, with that, I will dispense with the remaining part of my remarks and indicate that I am in strong support of this resolution.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Further discussion? Senator O'Malley, to close. Senator O'Malley moves the adoption of Senate Resolution 121. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. The resolution is adopted. Senator Parker, do you wish to have Senate Resolution 122 read? Mr. Secretary.

SECRETARY HARRY:

Senate Resolution 122, offered by Senator Parker.

No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

Senator Parker.

SENATOR PARKER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. The resolution does two things. Now there is a vehicle emission testing done in upper northern Illinois. What we would like to do is to have the Governor and the IEPA look into more consumer-friendly operations possibility with this vehicle emission testing and also when there's damage to the car, to have things more available so consumers can know their rights on how they can get their reimbursement.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, Senator Parker moves the adoption of Senate Resolution 122. Those in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senator Dillard, do you wish to have Senate Resolution 129 considered? Read the -- Mr. Secretary, read the resolution.

SECRETARY HARRY:

Senate Resolution 129, offered by Senators Dillard and Philip. The Committee on Executive adopted one amendment. There are no Floor amendments, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

...our conversations down, your voices softer, please, so we can listen to these. Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. This resolution is a Senate resolution, and it's really identical and patterned off of a Senate Joint Resolution No. 28 that we passed here about a month ago, and it would create a ten-member commission to study security procedures at the State Capitol, the Thompson Center, the State of Illinois Building, the Stratton Building and the Howlett Building. And now that it's a straight Senate resolution, we've also added

46

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

public schools. It would report back to the Leadership of the General Assembly and the Governor at the end of this year, and I'd be happy to answer any questions, but I'd move its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there -- is there discussion? Is there discussion? Seeing none, Senator Dillard moves the adoption of Senate Resolution 129. Those in favor will vote Aye. Those opposed, vote Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there

are 59 Ayes, no Nays, none voting Present. Senate Resolution 129, having received the required constitutional vote, is adopted. Senator Syverson, do you wish to have Senate Resolution 130 considered? Mr. Secretary, read the resolution.

SECRETARY HARRY:

Senate Resolution 130, offered by Senators Syverson and Rauschenberger.

No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Madam President. Senate Resolution 130 calls on the Department of Public Health to study the violence prevention programs in Illinois. Currently, we have violence prevention programs through the Illinois Violence Prevention Authority, the State Board of Education, the Attorney General's Office, Department of Human Services. There are at least ten different federal programs. Because there is so much potential duplication and we cannot get a clear handle of where all the dollars are going to, we've asked the Department to put together for us, no later than January 1st, a listing of all the difference violence prevention programs in Illinois, where the money is going, is there any duplication of services, and what are the results of all

SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

those programs. Be happy to answer any questions, otherwise ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, Senator Syverson moves the adoption of Senate Resolution 130. Those in favor will vote Aye. Opposed, vote Nay. Have all -- the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. And the resolution is adopted. Senator Wendell Jones, on House Joint Resolution No. 8. Senator -- or, Mr. Secretary, read the resolution.

SECRETARY HARRY:

House Joint Resolution No. 8, offered by Senator Wendell Jones.

There are no committee or Floor amendments, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Wendell Jones.

SENATOR W. JONES:

Madam President, Members of the Senate, this just declares August 1st, 1999, Year 2000 Preparedness Day, just so everybody studies this a little bit more. It is on a Sunday, which caused some debate in the committee, but we would appreciate a vote on this so we wake everybody up and tell them that January 1st, 2000, is coming.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

He indicates he'll yield, Senator Welch.

SENATOR WELCH:

48

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

Senator, exactly how do we prepare for this? Do we ask our ministers to give sermons on it or -- or what do we do? Do we tell our kids?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jones.

SENATOR W. JONES:

Thank -- thank you, Senator Welch. Anybody that votes for this resolution is going to get a rattlesnake medallion.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion, Senator Welch?

SENATOR WELCH:

Senator Jones, I just got one this morning, actually. If you want to see it, it's sitting over here but -- but -- I'm not sure how we -- how do we prepare for this? How do we get ready for the

year 2000? Do we turn our calendars ahead and pretend it's January 1st? And if that's true, the night before, are we supposed to party a lot?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jones.

SENATOR W. JONES:

Senator, thank -- thank you for the question. I dialed into my computer the other day January 1st, 2000, and it said "January 1st, 1900." This computer has not been invented yet.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Welch.

SENATOR WELCH:

Senator, those Commodore computers were designed to do that. The newer ones are a little bit better, but sounds like just a tremendous idea. I'm glad to see that you came up with this. Maybe we can have a cake or something to celebrate on that day, here on the Floor. Thanks.

PRESIDING OFFICER: (SENATOR DONAHUE)

49

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

Further discussion? Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. Would the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DONAHUE)

He indicates he'll yield, Senator Dillard.

SENATOR DILLARD:

Thank you. Senator Jones, is Daley, Stevenson, Lincoln and Reagan counties included in this resolution?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Wendell Jones.

SENATOR W. JONES:

By January 1st, 2000, they will be.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Further discussion? Seeing, none, Senator Wendell Jones moves the adoption of House Joint Resolution 8. Those in favor will vote Aye. Those opposed, vote Nay. Have -- the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 52 Ayes, 5 Nays, none voting Present, and the resolution is adopted. Senator Cronin, do you wish to have Senate Joint Resolution 17 read? Mr. Secretary, read the resolution.

SECRETARY HARRY:

Senate Joint Resolution 17, offered by Senator Cronin.

There are no committee amendments, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin, on Amendment 1.

50

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

SENATOR CRONIN:

...inquire of the Chair. Is there any other amendment? Okay.
May I withdraw Floor Amendment 2? Like to withdraw No. 1. May I
move to table Amendment No. 1?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin has moved to table No. 1. All those in favor,
say Aye. Opposed, Nay. The Ayes have it, and the amendment is
tabled. Any further amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Cronin.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin, on Amendment No. 2.

SENATOR CRONIN:

Thank you, Madam President, Ladies and Gentlemen of the
Senate. This Senate Joint Resolution 17 deals with the issue of
school mandate waivers. As all of you know quite well by now, we
have to take an affirmative action to deny a waiver request from a
particular school district. In the overwhelming majority of

cases, we let the local school districts determine for themselves how they wish to run their schools, and if they seek to waive a provision of the Code or the administrative rules, they may do so either by way of the State Board permitting them to, or if it's a provision in the Code, it's brought to our attention and if we don't act, the -- the provision is waived; if we take an affirmative act, then it would not be. We are suggesting, here in this Senate Joint Resolution 17, that we deny a waiver request from Elk Grove Township School District 59. The district is appealing the State Board's determination that it's original request was ineligible for consideration. The district sought relief from the arrangement under which the State Board is to withhold funds from a district and pay these funds to a charter school if the State Board charters the school. It's the State

51

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

Board's position that this provision of the School Code establishes a requirement on the State Board, rather than constituting a mandate on the affected school district. I ask for your favorable consideration. Ask for your -- I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Jones. Wendell Jones.

SENATOR W. JONES:

Yes. I'd like to speak against this motion. This district is in my area, and I think they have made a good waiver request and I'd like to see a No vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Berman.

SENATOR BERMAN:

Thank you, Madam President. I just want the Body to understand it's not so much what's in it but what's not in it that concerns some of us. And that's part of the process, and that's part of the frustration of the waiver process. I think there were two school districts that have requested waivers to allow substitute teachers to teach for a longer period than ninety days. This resolution does not disallow that request. I believe both teachers' unions, IEA and IFT, are opposed to allowing that extension of time, and that's the -- probably the prominent absence that -- that exists as far as this resolution. And -- but other than that, there were some other contentions that have been addressed by the Chairman and by Senator Syverson and Senator Burzynski, and I think that other than the question of the ninety-day extension for these -- for the substitute teachers, I think that it's a good resolution.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Berman, we are on the amendment -- the adoption of the amendment. Senator Berman.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

SENATOR BERMAN:

Thank you, Madam President. I'm supportive of Amendment No. 2.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Is there further discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin, do you wish to have Senate Joint Resolution 17 considered? Read the resolution, Mr. Secretary. Okay. Senator Cronin, on Senate Joint Resolution 17.

SENATOR CRONIN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I -- I also want to thank my colleague from the other side of the aisle in support. I know it's -- from his standpoint, is not perfect, but let's -- if I may remind the Body, this whole process of mandate waivers is about local control. There may be a waiver request that -- that one or more of us may not necessarily agree with, but the policy underlying this law is that the local people know best. And if they want to waive the substitute

teacher requirement, they have to take it up at their local school board meeting. They have to face the voters, and -- and they offered some compelling reasons in our hearing. And so, we are here today to endorse the whole proposition and the whole philosophy of local control. We are only denying one waiver request out of dozens that were made, and I ask for your favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none,

53

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

Senator Cronin moves the adoption of Senate Joint Resolution 17. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 Ayes, 9 Nays, 2 voting Present, and the resolution is adopted. Senator Fawell, on Senate Joint Resolution 30, do you wish to have this considered? Read the -- read the resolution, Mr. Secretary.

SECRETARY HARRY:

Senate Joint Resolution 30 is offered by Senator Fawell.

The Committee on Transportation adopted one amendment. There are no Floor amendments, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Fawell.

SENATOR FAWELL:

Thank you very much, Madam President. Excuse me. This resolution was presented to me to -- by the National Car Care Month people, who encourage the Secretary of State, IDOT and the State Police to coordinate efforts with auto repair shops, -- automobile wholesalers, auto dealers, civic groups and local governments to hold events that recognize National Care Car {sic} Month, which will be held in October. That's what the resolution does.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, Senator Fawell moves the adoption of Senate Joint Resolution 30. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 54 Ayes, 4 Nays, none voting Present, and the resolution is adopted. Senator Shaw, on Senate Joint Resolution -- oh. Senator Parker, do you wish to have Senate Joint Resolution 32? Mr. Secretary, read the resolution.

49th Legislative Day

May 20, 1999

SECRETARY HARRY:

Senate Resolution -- Senate Joint Resolution 32, offered by Senators Parker, Geo-Karis and others.

The Committee on Executive...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SECRETARY HARRY:

Committee on Executive adopted two amendments. There are no Floor amendments, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Joint Resolution 32 urges the United States Congress to preserve Social Security as a universal and mandatory and contributory social insurance system, and ensure the long-term financial viability of the program. This is offered by AARP and the seniors who were worried about this situation. It also does encourage coverage of prescription medication in Medicare.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Welch.

SENATOR WELCH:

I had a question of the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

He -- she indicates she'll yield, Senator Welch.

SENATOR WELCH:

Senator, what is the cost of the requirement that full-benefit

coverage be provided for prescription medication on a yearly basis? Do you have a figure?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

55

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

I -- I don't. Actually this was amended on at the request of Senator del Valle and I know that this is a concern. I -- I would ask him if he has an answer. I do not know.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker yields to Senator del Valle.

SENATOR DEL VALLE:

Well, Senator Welch, I don't think we could determine the cost, but we -- we certainly know the need and I -- I'm sure you're in support of making sure that senior citizens who are on Medicare have access to prescription drugs. The biggest -- one of the biggest problems that seniors have today is being able to afford prescriptions, and so we took advantage of the fact that Senator Parker had offered this wonderful resolution, to amend it, to make sure that the message goes to D.C. that we want -- in Medicare reform we want some action taken on prescription drugs

for senior citizens.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Welch.

SENATOR WELCH:

Well, I think close to one-third or forty percent of the recipients of Social Security are children. So are we going to have prescription drugs for children as well? This isn't just a senior citizen program.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker.

SENATOR PARKER:

The basic concern with the original resolution was for Social Security, because in many -- in a couple of states now, they are suggesting at the state level that the state all of a sudden take over Social Security. So obviously Medicare does include seniors also, but certainly it does include children, and the basic idea on whether Medicare should include prescription drugs is something

56

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

that we feel that should be looked at.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Welch.

SENATOR WELCH:

Well, you know, obviously, it's -- it's a good idea to have these prescription drugs freely, but it seems to me that the amendment may counter the purpose of the underlying resolution, which is to make sure that Social Security remains a solvent fund. It's only become apparent that they're going to make it solvent in Washington within the last year or two with the budget surpluses, but now to require that fund to spend more money on another program seems to me to be without -- especially without knowing how much it's going to cost, seems to me to -- to -- to counter the purpose of the resolution. And when -- when this gets to -- to Washington they're going to think Illinois doesn't know what the hell they're doing, because we're saying keep it the way it is, but by the way, add these additional benefits though we don't know how much they cost. So...

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Is there further discussion?
Senator Parker, to close.

PRESIDING OFFICER: (SENATOR DONAHUE)

I -- I would say that this is a very good resolution. That certainly states do not want to take over Social Security. The intent is that the federal government remain there doing that, and that we look at prescription drug coverage, as we are now in the Public Health Committee on various issues that we are talking about. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Parker moves the adoption of Senate Joint Resolution 32. All those in favor, say Aye. Opposed, Nay. And the Ayes have it, and the resolution is adopted. Senator Shaw, on Senate

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

Joint Resolution 35, do you wish to have your resolution considered? Read the resolution, Mr. Secretary.

SECRETARY HARRY:

Senate Joint Resolution 35, offered by Shaw.

No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shaw.

SENATOR SHAW:

Thank you, Madam President. Senate Joint Resolution 35 urges Congress to appropriate funds necessary to compete -- to complete a program to insure -- maps and update to reflect flood control -- flood areas. And what this is really doing is asking FEMA to do a new map taking in the considerations of the flood control measures that have been put in over the years, like sewer system, deep tunnel project -- project and things of that nature, and asking Congress to -- to take a look at it and revise it. I ask for...

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, Senator Shaw moves the adoption of Senate Joint Resolution 35. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and

the resolution is adopted. Senator Mahar, on Senate Joint Resolution 35. Mr. Secretary -- 37.

SECRETARY HARRY:

Senate Joint Resolution 37, offered by Senator Mahar.

No committee or Floor amendments, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Mahar.

SENATOR MAHAR:

Thank you, Madam President. Senate Joint Resolution 37 creates the Cardiovascular Disease Prevention Task Force to examine the incidence and causes of heart disease and strokes within the State of Illinois. That's about the extent of my

58

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

knowledge of that, and I would move its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President, Members of the Senate. Senator, I actually talked to a cardiologist yesterday who lobbied me on this resolution and urged me to support it. So apparently there is a community of -- the medical community is aware of this resolution

and they think that it'll help save lives. So I also support your motion.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Further discussion? Seeing none, Senator Mahar moves the adoption of Senate Joint Resolution 37. Those in favor will vote Aye. Opposed, vote Nay. And the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present, and the resolution is adopted. We'll now return to the middle of page 11 with Senate Resolution 91. Mr. Secretary, read the resolution.

SECRETARY HARRY:

Senate Resolution 91, offered by Senators O'Malley and Viverito.

There are no committee or Floor amendments, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Madam President. Ladies and Gentlemen of the Senate, Senate Resolution 91 requests that Governor Ryan join with us in proclaiming Sunday, September 25, 1999, as Children's Cultural and Health Day. This request was brought to the attention of myself and Senator Viverito by the Moraine Valley Community College Foundation. I'd be pleased to have your support

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

for it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, Senator O'Malley moves the adoption of Senate Resolution 91. Those in favor will say Aye. Opposed, Nay. The Ayes have it, and the resolution is adopted. Senator Trotter. Is Senator Trotter on the Floor? ...Resolution 108. Senator Trotter wishes the resolution considered. Mr. Secretary, read the resolution.

SECRETARY HARRY:

Senate Resolution 108, offered by Senator Trotter.

No committee of Floor amendments, Madam Secretary.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Madam President, Members of the Chamber. Senate Resolution No. 8 {sic} asks that we -- excuse me, I'm out of breath, I just ran on the Floor -- that we recognize the -- the rich heritage of the Native Americans here in the State of Illinois and that we set -- set aside land so that we can rebury their ancestors who we've been studying and looking into. It's a very simple resolution, again, just addressing the Native American issue here in -- in Illinois. If there's any questions, I'll try to answer them.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, Senator Trotter moves the -- oh, excuse me. Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Madam President. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DONAHUE)

He indicates he'll yield, Senator Burzynski.

60

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

SENATOR BURZYNSKI:

Yes. I was just reading my analysis, Senator, and I was wondering where this area is, the National Tallgrass Prairie.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Trotter.

SENATOR TROTTER:

To my understanding, it's in northern Illinois. Specifically, I don't know where the land site is.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Burzynski.

SENATOR BURZYNSKI:

I would just be interested in knowing where the location is.

That's all. If anybody has that knowledge, I'd...

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator -- Senator Welch.

SENATOR WELCH:

My understanding is, it's -- it's at the Joliet Arsenal property, that -- at the Midewin property in it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Is there further discussion?
Senator Trotter, to close.

SENATOR TROTTER:

I just ask for a favorable roll call, please.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Trotter moves the adoption of Senate Resolution 108. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is -- or, and the resolution is adopted. Senator Bomke, for what purpose do you seek recognition?

SENATOR BOMKE:

Point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR BOMKE:

We have with us today from Springfield the eighth-grade class from Christian Elementary School behind the Republican...

PRESIDING OFFICER: (SENATOR DONAHUE)

Will you all please rise and be recognized? Welcome to Springfield. ...could have the Body's attention, please. We are going to go to the middle of page 13 on your regular Calendar for a motion of nonconcurrency. Senator Cronin on the Order of Nonconcurrency is Senate Bill 652. Mr. Secretary.

SECRETARY HARRY:

I move to nonconcur with the House in the adoption of their Amendments 1, 2 and 3 to Senate Bill 652.

The motion by Senator Cronin.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Senator Cronin has moved to nonconcur in House Amendments 1, 2 and 3 to Senate Bill 652. All those in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion carries. The Secretary shall so inform the House. ...your desks, I understand Senate Supplemental Calendar No. 3 has been distributed. On the Order of Secretary's Desk, Concurrence. And this will be final action. Senator Cronin, on Senate Bill 556? Mr. Secretary, read the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendments 1, 2 and 4 to Senate Bill 556.

The motion, by Senator Cronin.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin.

SENATOR CRONIN:

Thank you, Madam President, Ladies and Gentlemen of the Senate. This bill, Senate Bill 556, is the issue of teacher recertification. Most of you may recall, we debated this at

62

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

length when the bill passed out of the Senate, and it provides a whole new approach to recertification. It went over to the House and they made some very dramatic changes in it. And they are as follows: The implementation date has been changed from January 1st, 2000, to February 15th, 2000 - very significant; and then, in the certificate renewal plan, the renewal plan must advance the certificate holder's knowledge and skills as a teacher consistent with the Illinois Professional Teaching Standards and the Illinois Content Area Standards. In the continuing professional development activities, there was a change made that -- that provides that participating in non-strike related activities or activities related to professional development are only those professional development activities that are counted or that would count toward their recertification. Changes membership of the local professional development committee to instead of four classroom teachers, to at least three classroom teachers, one superintendent or chief administrator of the school, and one large

-- at-large member. For Chicago, there was a change made that one or more regional professional development committees must be established. And -- and in House Amendment 3, we provided that for nonpublic schools, they would be the holder of a Valid and Exempt Certificate, rather than Valid but Inactive. House Amendment 4 that refers to. So these are all wonderful changes that everyone seems to like, particularly the business community. They think it's the greatest now. And we ask for your favorable consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, this is final action, and the question is, shall the Senate concur in House Amendments 1, 2 and 4 to Senate Bill 556. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who

63

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. The Senate does concur in House Amendments 1, 2 and 4 to Senate Bill 556; having received the required constitutional, is declared passed. Senator Rauschenberger, on Senate Bill 605. Mr. Secretary, read the bill.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendments 1 and 3 to Senate Bill 605.

The motion, by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger, on Senate Bill 605.

SENATOR RAUSCHENBERGER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 605 with the House amendments contains the budget of the Illinois State Police. It appropriates funding for the FY 2000 ordinary and contingent expenses of the State Police. Permits four percent growth in all operational lines. Fully funds the Department's personnel services requests. Provides funding for a sworn officer cadet class of one hundred new State policemen. Provides funding for ninety-two positions to be transferred from -- to General Revenue from the expiring Federal Grant Program. Reappropriates six million one hundred and eighty-six thousand dollars for the purchase of three hundred new police cars. That's three hundred new cars over and above the fifty cars that we approved in the supplemental. For -- just for people's information, the fiscal year '99 appropriation for the State Police was three hundred and eleven million. As introduced the Governor requested three hundred and twenty-four million. The Senate level that we passed out of here was three hundred and twenty million, and the final level is above the Governor's introduced. It's three hundred and twenty-six million dollars two hundred and five thousand three hundred. I would appreciate

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

favorable consideration. Would be happy to answer questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, this is final action. And the question is, shall the Senate concur in House Amendments 1 and 3 to Senate Bill 605. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present, and the Senate does concur in House Amendments 1 and 3 to Senate Bill 605, and the bill, having received the required constitutional majority, is declared passed. Senator Rauschenberger, on Senate Bill 612, on the Order of Concurrence. Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 612.

Motion filed by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam President, Ladies and Gentlemen of the

Senate. Senate Bill 612, as amended by the House, now contains the corrected budget of the Office of Banks and Real Estate. It's the ordinary and contingent expenses of the Office. It's -- it's a non-GRF agency. These are all funds that are generally paid by people regulated by the Office. The fiscal year '99 appropriation was twenty-five million two hundred and eighty-nine thousand. It was introduced by the Governor at twenty-six million three hundred and eighty-four thousand. We passed it at the same level. It now has been increased to provide for some corrections in availability of funds. The final level now is twenty-six million five hundred and forty-five thousand five hundred dollars of non-GRF funds for

65

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

the Office of Banks and Real Estate. I'd be happy to answer questions, and appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Senator Rauschenberger -- or, this is final action. And Senator Rauschenberger moves the adoption of House Amendments 1 and 2 to Senate Bill 612. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish Have all voted who wish? Take the record. On that

question, there are 59 Ayes, no Nays, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 612, and the bill, having received the required constitutional majority, is declared passed. Senator Rauschenberger, on Senate Bill 617. Madam Secretary, read the -- read the motion.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 617.

Motion filed by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Senate Bill 617, as amended the House, now includes the budget of the State Universities Civil Service Commission and the Civil Service Commission. The State Universities Civil Service Commission is at one million three hundred and two thousand six hundred dollars. The Civil Service Commission -- the State -- our State Civil Service Commission is at four hundred and nineteen thousand nine hundred dollars. I would just inform the Membership we have now -- we're just about to complete, I think, five percent of the total budget in final action. I'd be happy to answer questions.

SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Trotter.

SENATOR TROTTER:

Will the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Trotter.

SENATOR TROTTER:

Senator Rauschenberger, has this bill reduced any funds?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

In the case of the -- the State Universities Civil Service Commission, the fiscal year '99 appropriation was one million two hundred and fifty-two thousand dollars. It was introduced by the Governor at one million three hundred and forty-two thousand. This is now at the level that the Senate amended it to and we acted on together at one million three hundred and two thousand six hundred dollars. And that was agreed to by the Governor's Office.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Trotter.

SENATOR TROTTER:

Just wanted to make sure it wasn't one of those reductions that we've been making. Okay. In the past. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Seeing none, Senator -- oh,

excuse me. Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. Mr. Chairman, is this the last appropriations bill we're going to do this morning? I'm concerned about not this particular one, but the one dealing with transportation and the Chicago Transit Authority. Will we get a

67

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

opportunity to discuss that before we move it?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Hendon, I hope, I dearly hope this is not the last appropriation bill we do today. In fact, I hope we can do maybe four or five more, but the Department of Transportation cannot be considered today, because we don't have it in final form. The final decisions made by our Leaders together and after that by the appropriation negotiators and the Bureau of the Budget will mean you won't see that bill for some time yet.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Senator Rauschenberger, to close.

SENATOR RAUSCHENBERGER:

Please vote for it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Okay. All right. This is final action, and the question is, shall the Senate concur in House Amendments 1 and 2 to Senate Bill 617. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 617, and the bill, having received the required constitutional majority, is declared passed. Senator Peterson, on Senate Bill 778. Read the bill, Madam Secretary -- read the motion.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 778.

Motion filed by Senator Peterson.

PRESIDING OFFICER: (SENATOR DONAHUE)

68

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

Senator Peterson.

SENATOR PETERSON:

Thank you, Madam President. Senate Bill 778, as it left the Senate, required registration of foreign and alien corporations and other limited liability entities that are Lloyds members exclusively with the Department of Insurance, and this notification is required by the Secretary of State. And originally both the Department of Insurance and Secretary of State were in agreement on the language. In the House, they found some other areas that had to be addressed. Amendment 1 clarifies that the Illinois insurance exchange and syndicates, as well as members of Lloyds, did not pay a franchise tax, but the amendment does not change the provisions that these groups do pay a privilege or premium tax. The premium tax is normally higher than the franchise tax. The Secretary of State's Office has approved this change. The second part of the amendment is offered by the Department of Insurance to prohibit Illinois insurance exchange and syndicates from being able to form a limited liability company, and this makes it consistent with the Illinois Limited Liability Company Act. I ask for concurrence with Amendment 1, Senate Bill 778.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, this is final action. And the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 778. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, 1 voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 778, and the bill, having received the required

constitutional majority, is declared passed. Senator Dillard, on Senate Bill 1010. Read the bill -- read the motion, Madam

69

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 1010.

Motion filed by Senator Dillard.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President and Ladies and Gentlemen of the Senate. This is the Metropolitan Pier and Exposition Authority's two-hundred-and-seventy-million-dollar facility improvement bond proposal, and the Metropolitan Pier and Exposition Authority is proposing to increase its debt service ceiling in order to sell two hundred and seventy million dollars in new MPEA bonds. These would be paid from unused tax revenues from the existing MPEA taxes. Let me tell you, this is not about the expansion of McCormick Place. It's not about "McDome" or any type of sports stadium and this is not a new tax or an increase or an expansion

of any current tax. And by reducing the costs to put on McCormick Place shows and costs to use Navy Pier, and upgrading and repairing these facilities and adding new attractions and features, this proposal will secure McCormick Place's position in the convention and exhibition market and Navy Pier's position as number -- as the number-one tourist attraction in the State of Illinois. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Question of the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

He indicates you'll -- he'll yield, Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

70

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

Senator, is -- is it -- is it fair to say that if we did not expand the bonding authority, increase the debt limit for this agency, that the tax revenues, in effect, would pay the bonds -- the existing bonds off sooner? I mean, I -- not necessarily opposed to this, but I want to make sure people realize that we're -- by increasing the debt, we're stretching out that payment

cycle, because we -- we could use those excess revenues actually to retire our bonds, right?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. We could do that, but if you look at the amount of tax revenues that are generated from Navy Pier and McCormick Place, they are staggering. There are forty-four thousand jobs that are related to McCormick place and to Navy Pier, and I think that by improving these two facilities, we are actually adding to the ability of the State of Illinois to provide for public schools and increasing -- especially from out-of-town guests to Illinois, we're increasing the revenues of not only the City of Chicago, but also the State of Illinois. And while we could retire these things earlier, I think it is economically prudent not to do so and to make these improvements in Navy Pier, the State's number-one tourist attraction now, and McCormick Place.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Further discussion? Senator del Valle.

SENATOR DEL VALLE:

Thank you, Madam President. A question for the sponsor.

PRESIDING OFFICER: (SENATOR DONAHUE)

He indicates he'll yield, Senator del Valle.

SENATOR DEL VALLE:

Senator, you indicated that there will not be an increase in a

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

tax -- any of the taxes, but with the restaurant district, we have a one-percent tax. Is this going to be a permanent tax or is it a permanent tax, and is there an opportunity to change the boundaries of that district? I asked in committee about that, and I thought that the McCormick Place people were going to get back to me, and they didn't. I guess they're -- they're too busy running around lining up votes. But I think it's important that we look at this issue. There have been problems with implementation and I think there's a fairness issue here, given all the development that has taken place since we first approved this around the downtown area. And you've got a lot of high-priced restaurants that have propped up, come up all over the place, while the smaller ma-and-pa restaurants, the small businesses along Ashland and around the Ashland border, western border of the district, are continuing to have to pay this tax. Are we, at some point, going to be able to change the boundaries of that tax district so that these small businesses aren't hit as hard as they're being hit right now? Because they're not really actually benefitting from all that activity that is occurring at McCormick Place and at the Pier.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. Senator del Valle, and I'm not an expert on the covenants that were committed to in 1991 when we expanded McCormick Place, but I did hear the Pier and Exposition Authority staff tell you, and I -- I'm not sure they knew that they were supposed to get back to you today. As I understood it, they'll get back to you and meet with you over the summer. But I don't think you can shrink those boundaries because of the covenants that were entered into in 1991. But clearly if -- if you want to sit down with me and I -- quite frankly, I, believe it

72

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

or not, eat in some of those. Some of 'em are great Mexican restaurants on Ashland Avenue. You know, we'd be happy to explore this, and I'll facilitate with my friends at the Metropolitan Pier and Exposition Authority to sit down with you and -- and explore it. But I don't want to lead you on to think that we can shrink these boundaries, because I don't believe that we can. And I see Senator Cullerton standing over to your left. I think any discussion of the boundaries of -- of the Metropolitan Pier and Exposition Authority need to include Senator Cullerton, 'cause it's really his district that bears the brunt of these taxes.

PRESIDING OFFICER: (SENATOR DONAHUE)

If I could interrupt just a minute. WICS-TV Channel 20 News has requested leave to film the proceedings. Is leave granted? Leave is granted. Senator Cullerton.

SENATOR CULLERTON:

Thank you, Madam President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR DONAHUE)

He indicates he'll yield, Senator Cullerton.

SENATOR CULLERTON:

Senator -- Senator, do you have the figures as to how much the revenues bring in, or brought in, the last year you have statistics for? I think there's four taxes involved. If you have the breakdown -- be curious.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

What I have, Senator Cullerton, is I have -- and I don't have it broken down by the different taxes, but the annual tax revenue generated - and this is really important, I think, for everybody to understand how big this economic operation is - the City of Chicago last year received over twenty-five million in taxes from McCormick Place and Navy Pier; Cook County, John Stroger's

operation, seven and a half million; and the State of Illinois -- the tax revenue to the State of Illinois generated by the Metropolitan Pier and Exposition Authority was one hundred and thirty-seven million dollars every year is how much we take in. So McCormick Place, in terms of total tax revenues, is a hundred and seventy million dollars a year to Illinois and the attendee spending is a billion and a half dollars a year at McCormick Place and Navy Pier. Their wages are three billion dollars a year, and again, there's forty-four thousand people that are employed in this.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cullerton.

SENATOR CULLERTON:

Well, that was a good answer to a question I didn't ask. I -- I agree with you that McCormick Place is a great project, and I'm -- I'm -- let me just say that I'm -- I'm going to support this bill, and I wanted to explain why. Because, as was indicated in debate, this is -- this food tax is basically paid for in virtually my entire district. What happened was the food tax has brought in a lot more money than was anticipated. If we had known that it was going to bring in this much money, the districts would have been smaller. The theory was to have tourists and the downtown community pay for these taxes. Unfortunately, they went as far north as Diversity, as far south as McCormick Place and as far west as Ashland Avenue. The answer to the question that Senator del Valle posed is, I believe you could shrink the districts, but then you'd have to resell the bonds, 'cause you'd

have a different revenue stream to pay off those bonds. Not impossible to do. It could be -- it could be done, and quite frankly, I would like for it to be done. But it -- it's not something that, politically, is feasible. We, instead, have the opportunity to spend this money without raising the taxes, because

74

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

the taxes have been bringing in so much money. So I think that the people on the lakefront should recognize the facts that -- the fact that they're not going to be able to shrink those districts; that McCormick Place is -- is a tremendous economic engine for the State of Illinois, as well as the City; that there's other revenues that are coming from the General Assembly, hopefully this year, that deal with the lakefront, like shoreline prevention, revetment work that people were thinking about maybe we should have the extra money go for that. That's going to be taken care of, hopefully, with other legislation. So, as a result, I think it's time just to recognize the fact that McCormick Place has the benefit of these increase in taxes so that they can spend the money for these -- these projects which are -- are needed.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Senator Molaro.

SENATOR MOLARO:

Thank -- thank you, Madam President, Members of the -- Senate. I stand in strong support. I would hope that through committee and not -- also not being a bond attorney expert, I think there are ways when you resell or refinance that you could certainly look at this, 'cause the concerns of the district, as you well know, may or may not be able to be shortened, but I would certainly like the McCormick Place people who are here, "McPier" Authority people to do what they can to allay some of my colleagues' fears and -- and -- and some of their suggestions. That being said, everywhere I travel throughout the country, McCormick Place, as well as Navy Pier, have become the jewel of Illinois and the jewel of the City of Chicago. It's definitely an economic interest, an -- an engine for the entire State, and if we do this right and there is vision in this plan, this come -- can become the jewel of our country. So I stand in strong support of this measure.

75

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there further discussion? Is there further discussion?
Senator Dillard, to close.

SENATOR DILLARD:

Thank you, Madam President. This got more debate than I thought it would. I certainly stand ready to help Senator del Valle and Senator Cullerton in their efforts to do whatever we can. I think they raise legitimate concerns. The last thing I want to point out is that I believe these improvements and this change in the bonding authority will help reduce the cost of using McCormick Place, which is something I think we've all ascribed to over the last ten or twelve years in Illinois, and that's a positive from this. And again, it's an economic engine for Illinois and I think we should concur in Amendment No. 2 to Senate Bill 1010. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

This is final action. And the question is, shall the Senate concur in House Amendments -- Amendment No. 2 to Senate Bill 1010. Those in favor will vote Aye. Opposed, Nay, and the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 50 Ayes, 7 Nays, none voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 1010, and having received the required constitutional majority, is declared passed. Senator Obama, for what purpose do you seek recognition?

SENATOR OBAMA:

Thank you, Madam President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR OBAMA:

We are honored with the presence of a number of Chicago aldermen on the Floor here today, and I'd like to introduce a

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

couple of them. I believe Senator Hendon's going to introduce some of his west side colleagues. But I've got the privilege of introducing the better-looking south side aldermen. I have with me here today, Alderman Arenda Troutman from the 20th Ward, and I also have, I believe, Alderman Shirley Coleman from the 16th, who was here just a second ago. There she is over there. I'd like everybody to give them a warm Senate welcome, please.

PRESIDING OFFICER: (SENATOR DONAHUE)

Welcome to Springfield. Both of you. There you go. Senator Hendon, for what purpose do you seek recognition?

SENATOR HENDON:

Thank you, Madam President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please proceed.

SENATOR HENDON:

I had the honor of serving with Alderman Arenda Troutman and Alderman Shirley Coleman, and although they do look a little better than my alderman, he is without question a superb alderman. We also have from the north side, Alderman Eugene Schulter here, and my alderman, Alderman Ed Smith. So I'd like for them to be

recognized by the Senate.

PRESIDING OFFICER: (SENATOR DONAHUE)

Welcome to Springfield. Senator Molaro, for what purpose do you rise.

SENATOR MOLARO:

For a point of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR MOLARO:

And of course the last alderman that was not mentioned from the great southwest side, Alderman Michael Zalewski.

PRESIDING OFFICER: (SENATOR DONAHUE)

77

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

Welcome, Alderman. Senator Hendon.

SENATOR HENDON:

I did want to mention, none of them have been indicted under Silver Shovel. So it's good to have them here.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Robert Madigan, on Senate Bill 1024. Madam Secretary, read the motion.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 1024.

Motion filed by Senator Robert Madigan.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Madigan.

SENATOR R. MADIGAN:

Thank you, Madam President, Members of the Senate. Senate Bill 1024, as it left the Senate, made two changes in the Insurance Code. First change dealt with assignments or transfers of policies when mergers, restructuring or acquisitions occur. The second portion of Senate Bill 1024 dealt with proper -- procedures, as far as proper notification, to policy holders in the event of changes in the deductibles or coverages. House Amendment No. 1 {sic} deletes the language dealing with assignments or transfers of policies. I'd be happy to answer any questions on Senate Bill 1024, as amended, but otherwise would ask for concurrence on House Amendment No. 2 to Senate Bill 1024.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, this is -- this is final action. And the question is, shall the Senate concur in House Amendment No. 2 to Senate Bill 1024. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Do we have to start again? The voting's open. Have all voted who wish? Have all voted who wish? Take the -- hang on, we're having a

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

little bit of problem here, guys. Hold on. And the voting's open. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 2 to Senate Bill 1024, and having received the required constitutional majority, is declared passed. Senator Obama, for what purpose do you rise?

SENATOR OBAMA:

Point of personal privilege, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please proceed.

SENATOR OBAMA:

I don't like leaving out any of my aldermen, and one of the aldermen was out of the Chamber, Alderman Ted Thomas, newly elected to the 15th Ward. And I just want to point out that my aldermen appear to be the most conscientious. There are a lot of them here today, and so could the Senate please give a warm round of applause for Alderman Ted Thomas.

PRESIDING OFFICER: (SENATOR DONAHUE)

Welcome, Alderman Thomas. Senator Robert Madigan, on Senate Bill 1068. Read the motion, Madam Secretary.

ACTING SECRETARY HAWKER:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1068.

Motion filed by Senator Robert Madigan.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Madigan.

SENATOR R. MADIGAN:

Thank you, Madam President, Members of the Senate. Senate Bill 1068, as -- as it left the Senate, dealt with DNR regulations for establishing procedures for the taking of nuisance wildlife in the special snow geese season. House Amendment No. 1 to Senate

79

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

Bill 1068 is a technical amendment correcting a drafting oversight, and I would ask for concurrence on House Amendment No. 1 to Senate Bill 1068.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, this is final action. And the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1068. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 Ayes, no Nays, none voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 1068, and having received the required constitutional majority, is

declared passed.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. Ladies and Gentlemen, page 5 of your Calendar, House Bills 3rd Reading, for the purpose of -- of initially a recall with respect to House Bill 1532. Senator Rauschenberger, do you wish this bill returned to the Order of 2nd Reading for the purpose of an amendment? Senator Rauschenberger seeks leave of the Body to return House Bill 1532 to the Order of 2nd Reading for the purpose of amendment. Hearing no objection, leave is granted. And on the Order of 2nd Reading is House Bill 1532. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Yes. Floor Amendment No. 4, offered by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This amendment amends this House bill into a posture for final

80

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

passage for a series of agencies. I'd like the amendment adopted and I'd like to explain it on 3rd Reading.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? If not, Senator Rauschenberger moves the adoption of Floor Amendment No. 1 to House Bill 1532 -- I'm sorry, that was Floor Amendment No. 4 to House Bill 1532. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration, Madam Secretary?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR MAITLAND)

3rd Reading. On 3rd Reading is House Bill 1532. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill 1532.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate.

PRESIDING OFFICER: (SENATOR MAITLAND)

Ladies and Gentlemen, this is 3rd Reading, final passage. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 1532, as amended, is the next step, again, in our budgetary process. This is a small omnibus. Includes a group of

agencies that were agreed to last Saturday. It includes the Department of Labor, Guardianship and Advocacy, Illinois Commerce Commission, the Human Rights Commission, the Criminal Justice

81

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

Information Authority, the Education Labor Relations Board, the Illinois Emergency Management Agency, the Industrial Commission, the State Police Merit Board, the Department of Children and Family Services, the Illinois Health Care Cost Containment Council, the Comprehensive Health Insurance Program, the Judicial Inquiry Board, the Deaf and Hard of Hearing Commission and Prairie State 2000. It represents roughly five percent, by itself, of the general revenues of the State, and about 3.4 percent of all funds in the State budget. I'd be happy, by agency, to read the levels of general revenue or answer questions based on interest of the Body.

PRESIDING OFFICER: (SENATOR MAITLAND)

Is there discussion? Is there discussion? Senator Trotter.

SENATOR TROTTER:

Sorry. Sponsor -- I just walked into the room. This is the bill we just did in committee, sir? Fine. I'm fine with it. Thank you.

PRESIDING OFFICER: (SENATOR MAITLAND)

All right. Is there further discussion? If not, Senator Rauschenberger, do you wish to close, sir? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Again, this is a small omnibus. These are agreed-to agencies. We're making an effort to do the budget on multiple bills. I would appreciate favorable consideration. Most of these bills are at the Governor's introduced level. Several others are at the Senate level, but they've all been agreed to by the Governor in negotiations, with the esteemed Leader on the Democratic side of the Senate. I'd appreciate favorable consideration.

PRESIDING OFFICER: (SENATOR MAITLAND)

The question is, shall House Bill 1532 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted

82

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

who wish? Have all voted who wish? Have all voted who wish?
Take the record, Madam Secretary. On that question, there are 58
Ayes, no Nays, no Members voting Present. House Bill 1532, having
received the required constitutional majority, is declared passed.
Ladies and Gentlemen, if I might have your attention, please.

Momentarily the Rules Committee is going to be meeting, and once the Rules Committee report is read in, there will be the announcement for the various committees. So you should stay within close proximity of the Floor so you'll know where your committees are going to meet. We plan to -- after that report is read in and the announcement is made, we will recess till approximately 4 p.m. 4 p.m. So, therefore, you can plan your schedule accordingly. Again, Rules Committee will be meeting momentarily. That record will be read in. The announcement of the committees that will be meeting will be made. Those committee meetings will be held and -- and then we will be reconvening somewhere near the hour of 4 p.m. Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures have been assigned: Referred to the Committee on State Government Operations - Motions to Concur with House Amendment 1 to Senate Bill 283, House Amendment 1 to Senate Bill 752, and House Amendment 2 to Senate Bill 786; and referred to the Committee on Transportation - the Motion to Concur with House Amendment 1 to Senate Bill 741.

PRESIDING OFFICER: (SENATOR MAITLAND)

Senator Walsh, for what purpose do you arise, sir?

SENATOR T. WALSH:

For the purposes of an announcement.

PRESIDING OFFICER: (SENATOR MAITLAND)

Please state your announcement.

SENATOR T. WALSH:

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

The State Government Operations Committee will meet in Room 212 at 3:30. Room 212 at 3:30.

PRESIDING OFFICER: (SENATOR MAITLAND)

State Government Operations, Room 212 at...

SENATOR T. WALSH:

3:30. Yeah. Did I say 5:30? 3:30.

PRESIDING OFFICER: (SENATOR MAITLAND)

...3:30. Yes. 3:30. Thank you. Senator Fawell, for what purpose do you arise?

SENATOR FAWELL:

Purposes of an announcement.

PRESIDING OFFICER: (SENATOR MAITLAND)

State your announcement.

SENATOR FAWELL:

The Transportation Committee will meet at 3:30 in Room 400. That's a change. It's in Room 400 at 3:30.

PRESIDING OFFICER: (SENATOR MAITLAND)

Transportation Committee in Room 400 at 3:30. Any further business to come before the Senate? If not, the Senate stands in recess until the call of the Chair.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR WATSON)

The Senate will reconvene, and I would advise the Members to return to the Floor. The Senate will reconvene immediately, and we ask all Members to return to the Floor. ...again, I'd like to advise all the Members to return to the Floor. Mr. Secretary, Committee Reports.

SECRETARY HARRY:

Senator Fawell, Chair of the Committee on Transportation,

84

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

reports Senate Bill 741 - the Motion to Concur with House Amendment 1 Be Approved for Consideration; and Senate Bill 203 - the Motion to Concur with House Amendments 1 and 2 Be Approved for Consideration.

And Senator Tom Walsh, Chair of the Committee on State Government Operations, reports Senate Bill 283 - the Motion to Concur with House Amendment 1 Be Adopted; Senate Bill 752 - the Motion to Concur with House Amendment 1 Be Adopted; and Senate Bill 786 - the Motion to Concur with House Amendment 2 Be

Adopted.

PRESIDING OFFICER: (SENATOR WATSON)

Messages from the House, Mr. Secretary.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to wit:

House Joint Resolution 27.

Adopted by the House, May 20th, 1999. It's substantive.

PRESIDING OFFICER: (SENATOR WATSON)

Illinois Information Service TV requests permission to videotape today's proceedings. Is leave granted? Leave is granted. There will -- we will be on -- we will be on Supplemental Calendar No. 4. And we will start with Senate Bill 203, which is Senator Rauschenberger. We'll then have Senate Bill 283, which is Senator Tom Walsh. Then Senate Bill 741, with Senator Fawell. Senator Parker, on Senate Bill 752. And also Senator Parker, on Senate Bill 786. Once again, we'd like to get all the Members up to the -- to the Floor if we can, or down to the Floor, or over. Which way -- however you're going to get here. Just get up here as soon as you can. Once again, the order

SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

of bills is Senator Rauschenberger, Senator Tom Walsh, Senator Fawell, Senator Parker and Senator Parker. Would those sponsors please come to the Floor? We're on Supplemental Calendar No. 4. Page 1. Senate Bill 203. Mr. Secretary, please read the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 203.

The motion, by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. In cooperation with the wise people of the House, Senate Bill 203 has now been clarified and amended to a point where the City of Chicago has agreed not to oppose the bill. I wouldn't want to -- I wouldn't necessarily want to represent that they're in support of it, but they're now, I guess, effectively neutral on it. What the bill now says is that municipalities may regulate, according to the Vehicle Code, any Class I vehicle, including motorcycles, for noise, safety, the way they drive them, et cetera, but they have no other authority to regulate the use of motorcycles. It also clearly says that municipalities may not restrict any -- any Class I vehicle from the use of any roadway built with State or federal funds. And it also specifically, clearly says that municipalities have no right to regulate safety equipment that they don't already have authority for. For example, they cannot

pass municipal helmet laws. I would appreciate favorable support of this bill.

PRESIDING OFFICER: (SENATOR WATSON)

Would you repeat that, Senator? I couldn't hear a word you said. No, I'm just kidding. Let's just hold it down. There's no reason for this. Everybody just take their seat. Let's just

86

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

everybody just take your seat. Sit down. Listen to the debate. And this is final action. Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. Senator Rauschenberger, I -- I know that we debated this bill when it was a Senate bill, and I think I didn't have -- I was kind of floundering a little bit and I questioned you, 'cause I wasn't exactly sure what it did, and I wasn't exactly sure what the position of the City was. I know that it -- it was designed -- I think the bill is designed to affect my -- part of my district, because there's apparently been some problems on -- it might be Lake Shore Drive where there's been some motorcyclists that have been -- it's been very loud, and because of the configuration of the high-rises, the noise shoots up and -- and as a result, the

local alderman had responded to this with a -- an amendment -- an ordinance or an attempt to somehow limit the noise. And I think then that our friends from ABATE then have come down here and they have asked you to introduce a bill in response to that. And you've indicated that as a result of something that happened in the -- in the House, that the City is more neutral, as opposed to before when they were -- opposed to the bill. Now, I wondered -- but I did not hear, as the Presiding Officer seemed to indicate, I didn't -- I couldn't hear what you were saying when you were describing why they are no longer opposed, and I -- I'm wondering if -- if there's something specific about noise that -- that's addressed with regard to this amendment.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Senator Cullerton. I appreciate your asking that question. Yes, the history of this bill is much as you described it. Over in the House, apparently the House sponsor worked with

87

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

the City interests to try to draft this bill in a form that they felt did not negatively affect their authority. What this bill

does now, and I think is -- meets the objections or the concerns the City had, is it clearly says that the City can regulate a motorcycle as it does any other Class I vehicle under the powers it has in the Vehicle Code. So, clearly, they have the authority to regulate the mufflers, the noise level, the driving behavior, where a motorcycle can turn, to prohibit the use of a motorcycle or other vehicle in a bus lane, et cetera, et cetera. But it does also clarify that they do not have any -- right to regulate safety equipment on the motorcycle, other than that -- that which is explicitly granted by the General Assembly. And it also clarifies that they have no right to prohibit any part of Class I vehicles from a highway. That it -- they can -- they can prohibit the use of a road, or they can permit the use of a road, but they cannot within Class I vehicles in the Vehicle Code discriminate between different Class I vehicles. It was specifically explained to me that the City is taking no position. I don't know if no position is different than neutral, but it's somewhere in that mix.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Cullerton.

SENATOR CULLERTON:

Well, now I'm looking at the actual amendment. Is it your understanding that right now if a local -- a unit of local government wants to pass motorcycle helmet law, for example, that they would have the authority to do so? And does this amendment specifically prohibit a unit of local government from passing such and ordinance?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Senator Cullerton, you may know that I'm a -- a recliner

88

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

salesman and a -- and a - not a very good accountant, but to the best of my knowledge, today, municipalities cannot pass regulations requiring the use of protective headwear on -- on operators of any Class I vehicle. Because of what proponents of this bill call "aldermanic activism," they also included a section making it clear, again, that although the -- the City has the right to regulate under the Vehicle Code, that it does not have the right to grant -- to -- to regulate helmets without specific authority from the General Assembly. So it is my understanding today that a municipality could not do a helmet law. And it's my clear understanding that after the passage of this bill, that will be made more clear.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Cullerton.

SENATOR CULLERTON:

Does the first sentence of the amendment talk about limiting access of motorcycles to any highway or portion of a highway for which federal or State funds have been used? What is that -- what

is the purpose of that particular sentence?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

I think you did a good job explaining it, in your recollection of the history of the bill. The motor -- the proponents of motorcycle riding were much concerned by some aldermanic discussion or, in fact, introduction of ordinances, I'm not sure, in -- in municipalities threatening to limit the right of access of motorcycles, as one of the Class I vehicles, from certain roadways. So the whole origin of the bill is making it clear that, like federal law, State law should mirror clearly that no municipality can regulate the use of motorcycles for the access to a highway, that they do have the right to regulate the operations

89

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

of that motorcycle, the -- the noise level of that motorcycle, the equipment or the mufflers, its use of bus lanes. In other words, that the City clearly has the right to regulate it, as it does any division -- Class I vehicle in the Vehicle Code, but cannot segregate or specially prohibit the use of motorcycles from a given piece of roadway if it's paid for with State or federal

funds.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Cullerton.

SENATOR CULLERTON:

Okay. Well, it seems to me that if you're going to -- if the bill -- if you're saying that the bill allows them to regulate those things, but it specifically says that they cannot regulate helmet use, something tells me that the reason why ABATE put that in there is because they're concerned that the local government can regulate local -- the local government could regulate helmet use. And, so that would be a reason for me to be against it, just because of the fact that I think the local governments can make up their own mind with regard to that issue alone. So I -- I understand -- appreciate your explanation, but obviously I -- I think that my opposition is clear. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Thank you very much. My understanding is that basically what this bill says is that they are limited to what the federal laws already say, and they cited a -- a section of the federal law that's -- that is -- is in the -- quoting the law that we are putting in now. If -- if they are -- if we are accepting federal funds for Lake Shore Drive, which we certainly are, then they can't prohibit a Class I vehicle, which is what a motorcycle is. Now, the helmet law has been attempted. In fact, I believe the

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

prior Senator that spoke is the -- was the sponsor on several different occasions for a helmet law, which the majority of us disagreed with and voted down. I can understand his concern and I certainly understand his opposition if it is because of the fact that he doesn't like helmet laws -- or, he does like helmet laws, and that's not the law of the State of Illinois. That's a different question. The rest of it is already based on federal law.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion?

SENATOR FAWELL:

And I urge an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Shadid.

SENATOR SHADID:

Thank you, Mr. President. Maybe I can clarify something. There was a representative of the City at our meeting about fifteen minutes ago - the Transportation Committee - and they did not oppose this or testify. So I don't think they're in opposition to it.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Geo-Karis.

SENATOR GEO-KARIS:

Well, Mr. President and Ladies and Gentlemen of the Senate, the bill is a good bill. It -- it complies with the federal and State laws, because if there's State and federal money that given -- that's been given to the roads, certainly these motorcycles should have accessability. And -- and I don't care for motorcycles, but I'll tell you right now, I don't think we should ban them from these roads, and I speak for the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Any other discussion? Any other discussion? If not, Senator

91

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

Rauschenberger, to close.

SENATOR RAUSCHENBERGER:

I want to thank Senator Cullerton for his concerns. I realize that this is making it clear that municipalities cannot regulate helmets. I think that's always been the case. The proponents of this bill have done a reasonable job to try to make the City more -- City of Chicago more comfortable, and the City of Chicago has a right to that comfort. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR WATSON)

This is final action. And the question is, shall the Senate concur with House Amendments 1 and 2 to Senate Bill 203. Those in

favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. I'm sorry. The record has been taken. And the -- and there are 56 voting Yes, no voting -- 1 voting No, no voting -- 1 voting Present. The Senate does concur in House Amendments 1 and 2 to Senate Bill 203, and having received the required constitutional majority, is declared passed. Senate Bill 283. Senator Tom Walsh. Mr. Secretary, please read the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 283.

The motion, by Senator Thomas Walsh.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Walsh.

SENATOR T. WALSH:

Thank you, Mr. President. This bill was the bill that was the Audit Commission's corrections to a number of different agencies that had audit findings. You may recall that when the bill went out, Senator Hawkinson had called attention to the fact that it was in violation of the single-subject matter. And when the bill went over to the House, we stripped out a lot of the other -- a

lot of the provisions that were in there and only left the DCCA provisions in there, correcting what the audit findings had found for the Department of Commerce and Community Affairs. I don't know of any opposition and would be happy to answer any questions.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? This is final action. And the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 283. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting voting Present. House -- the Senate does concur in House Amendment No. 1 to Senate Bill 283, and having received the required constitutional majority, is declared passed. Senator Fawell, on Senate Bill 741. Mr. Secretary, please read the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 741.

The motion, by Senator Fawell.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. This is a -- a technical amendment. The underlying bill was requested by the railroad. It's about the laws of trespassing on railroad property. What the amendment did, basically, was say that no one can hang on the outside of boxcars,

except for their own employees. And if they do, that is considered trespassing. Apparently they've had problems with kids hopping on -- on a freight car for a ride.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, question

93

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

is, shall the Senate concur in House Amendment No. 1 to Senate Bill 741. And this is final action. And those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 57 voting Yes, no voting No, no voting voting Present. The Senate does concur in House Amendment No. 1 to Senate Bill 741, and having received the required constitutional majority, is declared passed. Senate Bill 752. Senator Parker. Mr. Secretary, please read the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 752.

The motion, by Senator Parker.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. Senate Bill 752, as it left the Senate, creates the Small Business Incubator Fund and allows DCCA to give loans for capital improvements to small business incubators. What the amendment does is allows DCCA to convene a task force to develop a model domestic violence and sexual assault employee awareness and assistance policy for businesses. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Is there any discussion? If not, this is final action, and the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 752. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting voting Present. The Senate does concur in House

94

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

Amendment No. 1 to 752, and having received the required constitutional majority, is declared passed. That was Senate Bill 752. Senate Bill 786. Senator Parker. Mr. Secretary, please read

the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 2 to Senate Bill 786.

The motion, by Senator Parker.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. As the bill left the House, it creates an eleven-member council within DCCA to advise -- or, within Department of Commerce and Community Affairs to advise DCCA on promoting micro-enterprise and self-employment as alternatives to welfare and traditional wage-labor. What the amendment does is allow one more member to the Micro-Enterprise Coordinating {sic} (Assistance) Council within DCCA and that person would be the chair of the Illinois State Micro-enterprise Initiative or his or her designee. I would ask for a favorable vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Is there any discussion? If not, the question is, shall the Senate concur with House Amendment No. 2 to Senate Bill 786. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting voting Present. The Senate does concur with House Amendment No. 2 to Senate Bill 786, and having received the required constitutional majority, is declared passed. Mr. Secretary, Messages from the House.

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to recede from their Amendment No. 1 to a bill of the following title, to wit:

Senate Bill 1066.

I'm further directed to inform the Senate that the House of Representatives requests a First Committee of Conference.

The action taken by the House, May 20th, 1999.

Message from the House by Mr. Rossi, Clerk.

Mr. President, - I am directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of their amendment to a bill of the following title, to wit:

House Bill 52, with Senate Amendment No. 1.

Nonconcurrent in by the House, May 20th, 1999.

Message from the House by Mr. Rossi, Clerk.

Mr. President, - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following following title, to wit:

Senate Bill 632, with House Amendment No. 1.

Passed the House, as amended, May 20th, 1999.

PRESIDING OFFICER: (SENATOR WATSON)

...objection, the Senate accedes to the request of the House for a conference committee on those bills, which was Senate Bill 1066, just read by the Secretary. Leave is granted. Intention of the Chair now, we believe that Supplemental Calendar No. 5 has been distributed. And we will go to that order. On page 2 of Supplemental Calendar No. 5, we have Senate Bill 632. Mr. Secretary, please read the motion. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate.

96

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

On Senate Bill 632, I would like to move to nonconcur in House Amendment No. 1.

PRESIDING OFFICER: (SENATOR WATSON)

Discussion? Any discussion? If not, Senator Rauschenberger moves to nonconcur in House Amendment No. 1 to Senate Bill 632. All those in favor, say Aye. Opposed, Nay. The Ayes have it. Motion carries and the Secretary shall so inform the House.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger, on House Bill 52. Mr. Secretary. Oh.
Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Madam President. I would like to refuse to recede to House Amendment No. -- or, Senate Amendment No. 1 to House Bill 52, and request a conference committee.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 52. Is there any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the motion carries, and the Secretary shall so inform the House. If I could have the attention of the Membership. We will stand at ease until the call of the Chair.

(SENATE STANDS AT EASE/SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR DONAHUE)

Senate will come to order. Messages from the House.

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to recede from their

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

49th Legislative Day

May 20, 1999

Amendment No. 1 to a bill of the following title, to wit:

Senate Bill 1014.

I am further directed to inform the Senate that the House of Representatives requests a First Committee of Conference.

PRESIDING OFFICER: (SENATOR DONAHUE)

Without objection, the Senate accedes to the request of the House for conference committees on those bills just read by the Secretary. Leave...

SECRETARY HARRY:

Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in passage of a bill of the following title, to wit:

Senate Bill 480, with House Amendments 1 and 2.

We have like Messages on Senate Bill 608, with House Amendments 1 and 2, and Senate Bill 615, with House Amendments 1 and 3.

All passed the House, as amended, May 20th, 1999.

PRESIDING OFFICER: (SENATOR DONAHUE)

...there's no further business to come before the Senate, Senator Noland moves that the Senate stand adjourned until the hour of 9 a.m., 9 o'clock, Friday, May 21st. Senate is adjourned.

